



COUNTRY OF ORIGIN INFORMATION REPORT

# ZIMBABWE

---

23 DECEMBER 2009

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## Preface

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- i This Country of Origin Information Report (COI Report) has been produced by COI Service, United Kingdom Border Agency (UKBA), for use by officials involved in the asylum/human rights determination process. The Report provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The main body of the report includes information available up to 20 November 2009. The 'Latest News' section contains further brief information on events and reports accessed from 21 November to 23 December 2009. The report was issued on 23 December 2009
- ii The Report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any UKBA opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum/human rights determination process.
- iii The Report aims to provide a brief summary of the source material identified, focusing on the main issues raised in asylum and human rights applications. It is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.
- iv The structure and format of the COI Report reflects the way it is used by UKBA decision makers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.
- v The information included in this COI Report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic, it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented unless stated.
- vi As noted above, the Report is a collation of material produced by a number of reliable information sources. In compiling the Report, no attempt has been made to resolve discrepancies between information provided in different source documents. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties, etc. COI Reports do not aim to bring consistency of spelling, but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text. The term 'sic' has been used in this document only to denote incorrect spellings or typographical errors in quoted text; its use is not intended to imply any comment on the content of the material.

- vii The Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because they contain relevant information not available in more recent documents. All sources contain information considered relevant at the time this Report was issued.
- viii This COI Report and the accompanying source material are public documents. All COI Reports are published on the RDS section of the Home Office website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified in the Report are available in electronic form, the relevant web link has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from the COI Service upon request.
- ix COI Reports are published regularly on the top 20 asylum intake countries. COI Key Documents are produced on lower asylum intake countries according to operational need. UKBA officials also have constant access to an information request service for specific enquiries.
- x In producing this COI Report, COI Service has sought to provide an accurate, balanced summary of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to UKBA as below.

**Country of Origin Information Service**

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**Website:** [http://www.homeoffice.gov.uk/rds/country\\_reports.html](http://www.homeoffice.gov.uk/rds/country_reports.html)

**INDEPENDENT ADVISORY GROUP ON COUNTRY INFORMATION**

- xi The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Chief Inspector of the UK Border Agency to make recommendations to him about the content of the UKBA's country of origin information material. The IAGCI welcomes feedback on UKBA's COI Reports, COI Key Documents and other country of origin information material. Information about the IAGCI's work can be found on the Chief Inspector's website at <http://www.ociukba.homeoffice.gov.uk>
- xii In the course of its work, the IAGCI reviews the content of selected UKBA COI documents and makes recommendations specific to those documents and of a more general nature. A list of the COI Reports and other documents which have been reviewed by the IAGCI or the Advisory Panel on Country Information (the independent organisation which monitored UKBA's COI material from September 2003 to October 2008) is available at <http://www.ociukba.homeoffice.gov.uk/>



- xiii Please note: it is not the function of the IAGCI to endorse any UKBA material or procedures. Some of the material examined by the Group relates to countries designated or proposed for designation to the Non-Suspensive Appeals (NSA) list. In such cases, the Group's work should not be taken to imply any endorsement of the decision or proposal to designate a particular country for NSA, nor of the NSA process itself.

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## Latest News

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### EVENTS IN ZIMBABWE, FROM 21 NOVEMBER TO 23 DECEMBER 2009

The news articles below have been organised thematically and then chronologically.

#### Politics and politically motivated violence

- 15 December     John Nkomo has been sworn in as Zimbabwe's second vice president, replacing Joseph Msika who died in August. Nkomo, from a minority Ndebele tribe, is a former Zapu member and was chairman of ZAUN-PF and has held various ministerial positions since 1981.  
Bloomberg, Zimbabwe's vice president Nkomo is sworn in, 15 December 2009.  
[http://www.bloomberg.com/apps/news?pid=20670001&sid=aoi\\_VU2sypto](http://www.bloomberg.com/apps/news?pid=20670001&sid=aoi_VU2sypto)  
Date accessed 21 December 2009
- 13 December     President Robert Mugabe was re-elected yesterday as leader of Zimbabwe's ruling Zanu-PF at the party congress in the capital Harare. He was earlier endorsed by the party's top decision making body, the politburo.  
The Guardian, Mugabe re-elected Zanu-PF party leader for five more years, 13 December 2009.  
<http://www.guardian.co.uk/world/2009/dec/13/robert-mugabe-zanu-pf-congress>  
Date accessed 21 December 2009
- 13 December     Speaking at the end of ZANU-PF's party congress, President Mugabe told the assembly that he expected elections to be held soon – "raising fears that he will mount a new campaign of terror and violence in his determination to hold on to power. ... Human rights groups say there has been a steady rise in incidents of violence and intimidation by ZANU-PF and security forces against the MDC in the past six months."  
The Times, Fears of more violence as Robert Mugabe announces another election, 13 December 2009.  
<http://www.timesonline.co.uk/tol/news/world/africa/article6954991.ece>  
Date accessed 21 December 2009
- 5 December     The one-month deadline Prime Minister Morgan Tsvangirai gave President Mugabe to fully implement the power sharing agreement lapsed on 5<sup>th</sup> December with little to show for a series of discussions. But political analysts stated that was no need for the MDC to disengage from the process until further discussions to resolve the impasse have been exhausted.  
The Standard, Tsvangirai's GNU deadline expires, 5 December 2009.  
<http://www.thestandard.co.zw/local/22495-tsvangirais-gnu-deadline-expires.html>  
Date accessed 21 December 2009
- 1 December     Three former members of parliament who were expelled by the MDC-Mutambara faction, were reported to have joined the faction of the MDC led by Morgan Tsvangirai.  
Zim Eye, Former MDC-Mutambara MPs join Tsvangirai's MDC, 1 December 2009.  
<http://www.zimeye.org/?p=10802>  
Date accessed 21 December 2009

- 28 November The country's three governing parties have agreed to suspend discussions on the appointment of Reserve Bank of Zimbabwe Governor Gideon Gono and Attorney General Johannes Tomana until common ground is agreed on the other outstanding issues in the power sharing agreement. Mr Gono and Mr Tomana were re-appointed by President Mugabe in contravention of the Global Political Agreement.  
The Standard, Respite for Gono, Tomana, 28 November 2009.  
<http://www.thestandard.co.zw/local/22421-respite-for-gono-tomana.html>  
Date accessed 17 December 2009
- 27 November The trial of Roy Bennett, the MDC-T deputy Minister of Agriculture designate, was adjourned to early 2010 after one of the state's key witnesses, Peter Hitschman, failed to turn-up to court.  
SW Radio Africa, Bennett trial adjourned to next year, 27 November 2009.  
<http://www.swradioafrica.com/news271109/bennett271109.htm>  
Date accessed 17 December 2009
- 26 November International NGO, the International Commission of Jurists (ICJ), which comprises sixty of the world's most eminent jurists, announced that South Africa's Supreme Court of Appeal Judge, Azhar Cachalia, will be visiting Zimbabwe to observe the ongoing trial of Deputy Agriculture Minister Designate Roy Bennett. The ICJ stated that Cachalia's experience would be invaluable in reaching a conclusion on whether the trial was fair or not.  
Radiovop, Bennett's trial under scrutiny, 26 November 2009.  
[http://www.radiovop.com/index2.php?option=com\\_content&do\\_pdf=1&id=7499](http://www.radiovop.com/index2.php?option=com_content&do_pdf=1&id=7499)  
Date accessed 17 December 2009
- 24 November Deputy Minister of Youth Development, Thamsanqa Mahlangu (MDC-T) disclosed that since the start of youth service programme around 80,000 young Zimbabweans have gone through the programme, with 13,950 of these being employed as 'youth ward officers'.  
New Zimbabwe, 80,000 complete youth service: minister, 24 November 2009.  
<http://www.newzimbabwe.com/news-1359-80,000+complete+youth+service/news.aspx>  
Date accessed 17 December 2009
- 23 November Two Mugabe loyalists were nominated by ZANU-PF to sit on the panel of the new Zimbabwe Human Rights Commission. The loyalists named as Jacob Mudenda and Joseph Kurebwa are expected to take up their posts imminently.  
Radiovop, ZANU-PF loyalists set to become rights commissioners, 23 November 2009.  
[http://www.radiovop.com/index2.php?option=com\\_content&do\\_pdf=1&id=7483](http://www.radiovop.com/index2.php?option=com_content&do_pdf=1&id=7483)  
Date accessed 17 December 2009
- 23 November Following Morgan Tsvangirai's decision to resume co-operation in the Government of National Unity, the country's three main political parties met on the 23<sup>rd</sup> November to discuss crucial outstanding issues in the Global Political Agreement.  
SW Radio Africa, Talks resume between ZANU-PF and MDC formations, 23 November 2009.  
<http://www.swradioafrica.com/news231109/talks231109.htm>  
Date accessed 17 December 2009

## Humanitarian issues

- 21 December     The Zimbabwe Ministry of Health and the World Health Organisation jointly reported that 146 new cases of cholera, and five deaths, have been reported since the onset of the rainy season in September. There are concerns that the the number of deaths could reach the 877 recorded to July 2009 when nearly 100,000 were infected.  
Zim Online, 146 new cholera cases recorded in Zim, 21 December 2009.  
<http://www.zimonline.co.za/Article.aspx?ArticleId=5542>  
Date accessed 21 December 2009
- 1 December     The Zimbabwe Peace Project, a local NGO, reported that ZANU-PF continued to use food aid as a political weapon, denying known opponents assistance from government and relief agencies.  
Zim Online, ZANU-PF continues to politicise food, 1 December 2009.  
<http://www.zimonline.co.za/Article.aspx?ArticleId=5448>  
Date accessed 21 December 2009
- 28 November     A joint study between Zimbabwe's Central Statistics Office and UNICEF has found that twenty per cent of Zimbabwe's children are dying before they reach the age of five as they succumb to curable diseases.  
The Standard, Social Services collapse ups child mortality, 28 November 2009.  
<http://www.thestandard.co.zw/local/22371-social-services-collapse-ups-child-mortality.html>  
Date accessed 17 December 2009
- 24 November     A senior UNICEF representative announced that around 100 children are dying daily because of a lack of good health care facilities and food, but the biggest killer remains HIV/AIDS. It was reported that Around one in every 10 children dies before the age of five.  
Zim Online, 100 children dying daily in Zim: UNICEF, 24 November 2009.  
<http://www.zimonline.co.za/Article.aspx?ArticleId=5416>  
Date accessed 17 December 2009
- 22 November     The Famine Early Warning Systems Network (FEWSNET) reported that 1.6 million Zimbabweans would require food aid throught December.  
Voice of America, Hunger warning unit sees 1.6 million Zimbabwean at risk through end-2009, 22 November 2009.  
<http://www1.voanews.com/zimbabwe/news/food-agriculture/16-Million-People-Food-Insecure-70639872.html>  
Date accessed 17 December 2009

## Economy

- 28 November     Zimbabwe's central bank governor, Gideon Gono, said that the country would continue to use the US Dollar and other "hard currencies" for the foreseeable future.  
The Star (SA), Zim to continue with US dollar, 28 November 2009.  
[http://www.iol.co.za/index.php?set\\_id=1&click\\_id=84&art\\_id=nw20091128114020545C238197](http://www.iol.co.za/index.php?set_id=1&click_id=84&art_id=nw20091128114020545C238197)  
Date accessed 17 December 2009

26 November     The Government's Central Statistical Office announced that Zimbabwe's monthly inflation for October had increased to 0.8 per cent, gaining 1.3 percentage points on September's figure of -0.5 per cent.

ZimOnline, Zim inflation now 0.8 per cent, 26 November 2009.

<http://www.zimonline.co.za/Article.aspx?ArticleId=5426>

Date accessed 17 December 2009

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**REPORTS ON ZIMBABWE PUBLISHED OR ACCESSED BETWEEN 21 NOVEMBER AND 23 DECEMBER 2009****Institute for Democracy in Africa** <http://www.idasa.org.za>

States in Transition Observatory - GNU Watch Zimbabwe November 2009,

7 December 2009

[http://idasa.org.za/index.asp?page=output\\_details.asp%3FRID%3D1983%26OTID%3D69%26TID%3D12](http://idasa.org.za/index.asp?page=output_details.asp%3FRID%3D1983%26OTID%3D69%26TID%3D12)**Date accessed 7 December 2009**

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## Background information

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### 1. GEOGRAPHY

1.01 Zimbabwe is located in southern Africa and has an area of 390,580 sq km. It is land locked and is bordered to the north-west by Zambia, to the east by Mozambique, to the south by South Africa and to the south-west by Botswana. (Jane's Sentinel Security Assessment: Zimbabwe, 14 October 2008) **[90j] (Geography)**

1.02 The principal towns (those with a population of over 100,000) are Harare (the capital), Bulawayo, Chitungwiza, Mutare (Umtali) and Gweru (Gwelo). (Europa World Online, accessed 10 February 2009) **[1b] (Area and Population)**

1.03 The Economist Intelligence Unit's Zimbabwe Country Profile 2008, dated 9 May 2008, noted:

"The population may have declined in recent years. The IMF estimated Zimbabwe's population at 13.2m in 2006. However, the indications from local data, including the 2002 census, are that the population may actually be declining, probably reflecting a combination of the HIV/AIDS pandemic and emigration. ... The population of the capital, Harare, including its Chitungwiza township, is around 2m. The majority of Zimbabweans are Shona, with the Shona outnumbering the Ndebele by about four to one. The Ndebele live mainly in the south and west. ... The most widely spoken language is Shona ... although English, which is universally spoken in towns, is the official language." **[24n] (p10)**

1.04 Jane's Sentinel Security Assessment: Zimbabwe, 14 October 2008, noted that in addition to the main Shona and Ndebele ethnic groups there are, in addition, several minor ethnic groups such as the Tonga, Venda and Hlengwe/Shangaan. **[90k] (Demography)**

1.05 The same source also noted:

"Today there are approximately one million practising Roman Catholics in Zimbabwe. There are also significant representations of the Anglican, Methodist, Presbyterian, Baptist and Dutch Reformed Churches.

"There are many African churches of different denominations, such as the Zimbabwe Assemblies of God and the Vapostori sects. Small Hindu, Muslim and Jewish communities exist in some urban centres. The Jewish community had been estimated at 925, but is declining rapidly through out migration." **[90k] (Demography)**

Please see the sections on [Ethnic Groups](#) and [Religious Freedom](#) for more information.

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- 1.06 Europa World Online, accessed on 2 November 2009, noted the following national holidays: "... 18 April (Independence Day); 1 May (Workers' Day); 25 May (Africa Day, anniversary of OAU's foundation); 11 August (Heroes' Day); 12 August (Defence Forces National Day); 22 December (National Unity Day) ..." [1a] (Public Holidays)

## MAP

- 1.07 The following links provide a selection of different maps of Zimbabwe. The Multimap and Google maps are searchable.



UN OCHA - Political and Administrative Boundaries  
As Updated in 2008  
<http://www.unhcr.org/refworld/pdfid/4af146d60.pdf>

United Nations  
Provincial map of Zimbabwe with district boundaries:  
<http://ochaonline2.un.org/Portals/161/zimbabwe%20-%20provincial%20and%20district%20boundaries.pdf>

UNHCR map:  
<http://www.unhcr.org/cgi-bin/texis/vtx/publ/opendoc.pdf?tbl=PUBL&id=3dee2cf00>



## 2. ECONOMY

- 2.01 The Economist Intelligence Unit's Zimbabwe Country Profile 2008, dated 9 May 2008, noted that: "Zimbabwe used to have a well-developed manufacturing sector, relatively diversified commercial farms, productive peasant agriculture, varied mineral resources and good tourism potential. As a result, it had a more diversified economy than any of its neighbours. However, the ongoing economic and political crisis has decimated the economy." [24n] (p12)
- 2.02 *The Times* reported on 11 February 2009 that 94 per cent of Zimbabweans are unemployed. [82k] A large number of Zimbabweans rely on remittances (cash/credit) sent by relatives working abroad. It was estimated by the Global Poverty Research Group (attached to the universities of Oxford and Manchester) that "... in 2006, 50 percent of all households surveyed in Zimbabwean cities and towns were regular recipients of money, food and other goods ..." (The Inter Press Service News Agency, 24 January 2009) [15a]
- 2.03 Reuters noted on 23 June 2009 that Elton Mangoma, the Minister for Planning and Investment, reported that remittances sent home by Zimbabwe's large diaspora accounted for a large amount of the foreign exchange circulating in the economy. Mr Mangoma stated that the remittances had "... helped prop up the economy during the worst of the economic crisis ..." Remittances were reported to be rising with between US\$600 million and US\$1 billion being sent to Zimbabwe each year. [75a] However, a report by the Solidarity Peace Trust entitled *Gone to Egoli*, dated 30 June 2009, found that remittances, far from providing a regular source of foreign exchange and food, was something that only a small proportion of Zimbabweans with family members in the diaspora, could count on. The report went on to note that poorer rural families were less likely to receive remittances than the urban middle classes. [65c] (p5&7)
- The Solidarity Peace Trust report, *Gone to Egoli*, provides detailed information regarding remittances from Zimbabwe's diaspora community.  
[http://www.solidaritypeacetrust.org/reports/gone\\_to\\_egoli.doc](http://www.solidaritypeacetrust.org/reports/gone_to_egoli.doc)
- 2.04 The Institute for the Democratic Alternative for South Africa's group, States in Transition Observatory, noted in a report, Zimbabwe Government of National Unity Watch (SITO Report) April 2009, that "... an average family of six needs [US]\$386 a month for a basic 'basket' of goods that includes food as well as rent and utilities." [9a] (p4) The *National Post* (Canada) reported on 15 October 2008 that: "... 90% live on less than US\$2 a day ..." [18a]
- 2.05 Throughout 2008, and into 2009, hyperinflation caused the Zimbabwean dollar to devalue on a daily basis. Possibly as a result of these increases, the government stopped publishing the country's inflation rate in July 2008, at which point inflation stood at 231 million per cent. *The Guardian* reported, on 6 December 2008, that: "John Robertson, one of Zimbabwe's most respected economists, has accurately estimated the rate of inflation in the past. He says that it shot through the billions, trillions and quadrillions between August and October until it reached 1.6 sextillion percent last month. A sextillion has 21 noughts." [34b] IRIN News reported on 21 January 2009 that the inflation rate

had reached 6.5 Quindecillion Novemdecillion per cent (65 followed by 107 noughts) with prices doubling on an approximately daily basis. [10af]

- 2.06 At the end of January 2009 the Government announced the effective abandonment of the Zimbabwean dollar in favour of multiple foreign currencies. This formalised what was happening in the economy with most goods only available for purchase with the US dollar or the SA rand. (BBC News, 29 January 2009) [3p] The International Crisis Group (ICG) reported on 20 April 2009, that while the "... economic situation remains dire ..." currency reforms and policy changes introduced by the unity government has resulted in "... some signs of improvement: ... prices have stabilised, basic stocks are returning to shops and civil servants are being paid at least a modest stipend." [100a] (Overview & p9) However, the SITO Report May 2009 noted that: "Since the withdrawal of the Zimbabwean Dollar as a currency, a South African Rand shortage is visible, pushing up the price of US Dollars and bringing back the informal black market. To add to this, many banks and building societies are having difficulty meeting the increased demand for US Dollars from civil servants." [9b] (p3)
- 2.07 The Economist Intelligence Unit (EIU) noted that one of the first major actions of the MDC, as part of the unity government, was the publication of a revised budget. Finance Minister, Tendai Biti (of the MDC), announced measures to reduce government spending to around US\$1bn. Gaps in the public finances will be plugged by rising taxation as the economy recovers. However, the EIU report stated its belief that Mr Biti's estimates for economic growth were overly optimistic, "... and given the difficulty of raising revenue ... [EIU] expects the government to continue to rein in spending in real terms in an attempt to keep the deficit under control. As a result, government services, particularly healthcare and education, will continue to deteriorate." [24a] (p5-6) However, Mr Biti announced in July 2009 that the government would be increasing spending by around 40 per cent to cover higher state employee salaries and inputs into the agricultural sector. The additional spending is expected to come from international aid grants. (EIU, Country Report September 2009) [24b] (p5)
- 2.08 The Solidarity Peace Trust report, 'Walking a thin line', published on 30 June 2009, noted that:
- "One major positive result of this currency change has been the immediate drop in the inflation rate. However on the negative side, this policy shift has further marginalized the large sections of the population with little or no access to foreign currency, and while this situation continues, undermines the capacity of a government to set interest rates, control financial flows or direct credit to re-industrialisation strategies." [65b] (p13)
- 2.09 The Economist Intelligence Unit's September 2009 Zimbabwe Country Report noted that there was confusion about the government's plans regarding the 'indigenisation' of key Zimbabwean industries. ZANU-PF's "... mines minister, Obert Mpofu, has promised to review the country's proposed mining legislation, which would force all mines to be at least 51%-owned by 'indigenous' Zimbabweans. ...
- "Mr Mpofu originally stated that the government now wants to introduce investor-friendly laws that will encourage foreign investors, but in a late August statement backed away from this assurance, telling a parliamentary

subcommittee that the state would insist on at least 50% share ownership of all precious-metal projects, diamonds, gold and platinum. The 50% ownership of diamond properties was 'not negotiable', he added, revealing that the government was near to finalising a deal with a foreign investor to take a stake in the controversial Marange diamond fields project." [24b] (p12)

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## Sanctions and Commonwealth Suspension

- 2.10 The Foreign and Commonwealth Office noted in its annual human rights report, published on 26 March 2009, that:

"The EU has been united in condemnation of Mugabe's campaign of violence and his disregard for the democratic process. The EU has had measures in place since 2002, which target individuals, not the Zimbabwean people. The UK worked with EU colleagues in 2008 to expand these measures as a means to increase pressure on the regime. On 22 July, the EU added 37 individuals, including those involved in the violence that had occurred during the elections, and for the first time froze the assets of four ZANU PF related companies. The number of individuals and companies subject to a visa ban and asset freeze was increased again in December to 180." [13a] (European Union)

- 2.11 On 12 December 2003 the Commonwealth Secretariat announced that Zimbabwe had terminated its membership of the commonwealth the previous day. (The Commonwealth of Nations, accessed 26 January 2009) [36]

- 2.12 The EU renewed its sanctions targeted against ZANU-PF members of Robert Mugabe's government, senior government officials, military figures, and some businesses with close links to Mugabe. Under the sanctions, which have been extended until 20 February 2010, key figures in the regime are prevented from travelling to Europe and are subject to an asset-freeze.

Details of the ban can be found here:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:049:0015:0017:EN:PDF>

A list of Zimbabweans subject to sanctions/travel ban can be found at the following link:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:172:0089:01:EN:HTML>

- 2.13 A report by 'States in Transition Observatory' (SITO) noted in April 2009 that: "A 'humanitarian plus' form of aid is being discussed by western donors to enable the country to deliver critical services while keeping 'smart sanctions and travel bans' in place. If implemented a review of this status may be likely when the rule of law and other minimum standards of governance and accountability can be seen and sustained. [9a] (p3)
- 2.14 The International Crisis Group, noted in a report entitled 'Zimbabwe: A Regional Solution?', dated 18 September 2007, that while sanctions imposed

by western countries are limited in their scope; only a couple of hundred are affected by the sanctions. Mugabe has made great play of these sanctions to convince ordinary Zimbabweans that the UK and US harbour “neo-colonial ambitions”. [100e] (Executive Summary and Recommendations)

- 2.15 A report by ‘States in Transition Observatory’ (SITO) noted in September 2009 that, under pressure to deliver tangible results on behalf of the MDC, Morgan Tsvangirai failed to persuade European and US governments to lift targeted sanctions or provide full economic assistance. Western governments have called for clear and irreversible progress in Zimbabwe’s unity government before relaxing sanctions. [9d] (p3)

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### 3. HISTORY

- 3.01 The Foreign and Commonwealth Office Zimbabwe Country Profile, updated 19 June 2009, noted that:

“Until the 19th century the area was ruled by a succession of Shona kingdoms, including the builders of the famous Great Zimbabwe complex (from which the country takes its name). By the 1820s internal and external pressures had led to the collapse of the Shona polities, laying the country open to occupation. Nguni conquerors from South Africa occupied what is now Matabeleland, and in 1890 Cecil Rhodes' British South Africa Company (BSAC) founded Salisbury (now Harare) and took control of the rest of the country by 1893. The BSAC's defeat of the 1896 Shona and Ndebele rebellion (the 'First Chimurenga') secured the country for widespread European settlement. In 1923, after a referendum which rejected union with South Africa, the country became a self-governing colony. In an attempt to pre-empt black majority rule the white-controlled Rhodesian parliament made a Unilateral Declaration of Independence in 1965, leading to a 15 year guerrilla war ('the Second Chimurenga').” [13d]

- 3.02 Europa World Online – Zimbabwe (accessed 10 February 2009) noted that following the unilateral declaration of independence (UDI) by Ian Smith in 1965 black nationalists organised the fight for majority rule. The principal nationalist groups were the Zimbabwe African People's Union (ZAPU), led by Joshua Nkomo, and the Zimbabwe African National Union (ZANU), led initially by the Reverend Ndabaningi Sithole and later by Robert Mugabe. ZAPU and ZANU merged their military efforts in 1976 in the uneasy Patriotic Front alliance. In 1979, according to Europa, the UDI administration concluded an 'internal settlement' with some black nationalists, under which Bishop Abel Muzorewa became Rhodesia's first black Prime Minister. Later in 1979, all parties to the conflict participated in the Lancaster House Conference in London, which agreed an independence settlement. Initially Mugabe adopted a conciliatory stance towards Nkomo but relations became strained and in February 1982 Nkomo was removed from the Cabinet, with two PF colleagues under suspicion of plotting against the government. [1d] (Recent History)

#### MATABELELAND MASSACRES 1983–87

- 3.03 Europa stated that the alleged discovery of large caches of arms on ZAPU-owned properties in Matabeleland in 1982 led to Joshua Nkomo's dismissal from government office. Dissidents from Nkomo's former guerrilla force, ZIPRA, perpetrated indiscriminate acts of violence. The Government responded by sending the North Korean-trained Fifth Brigade to Matabeleland in early 1983 to quell dissent. The mainly Shona Fifth Brigade was accused of committing atrocities against civilians in its 'pacification' campaign and it alienated support for the Government amongst Matabeleland's Ndebele population. It has been estimated that as many as 10,000 civilians died during the Fifth Brigade's campaign. [1c] (p1254-55) An article published by Wordpress.org on 12 March 2006 stated that the number killed could have been up to 20,000 civilians. [48]
- 3.04 Europa noted that a unity agreement between ZANU-PF and ZAPU was reached in 1988. The merged party retained ZANU-PF's name and Nkomo

became one of two vice-presidents and took a senior cabinet post. An amnesty in 1988 led to a rapid improvement in the security situation in Matabeleland. Constitutional changes in 1987 ended reserved seats for whites and created an executive Presidency, replacing the ceremonial post of President formerly held by Canaan Banana and incorporating the post of Prime Minister. Mugabe became Zimbabwe's first executive President at the end of 1987. [1c] (p1255)

- 3.05 In July 1999, *The Independent* noted in an article dated 19 October 1999, at Vice-President Joshua Nkomo's funeral, President Mugabe expressed his regret for the actions of the Fifth Brigade in Matabeleland during the 1980s. At a memorial service for Nkomo in October 1999, Mugabe announced the willingness of the Government to compensate the families of the thousands of people killed during the insurgency. [4g] Further promises of compensation projects were made in June 2002 by John Nkomo, the then Minister for Home Affairs, but according to the *Zimbabwe Standard* on 13 July 2003 this compensation had not been paid. [20f]

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### SIGNIFICANT EVENTS (1989 – 2 007)

- 3.06 Jane's Sentinel Country Risk Assessment (Zimbabwe), updated on 10 September 2009, noted in the section on Internal Affairs, that in 1996:

"Discontent rising from the perception that only the government and party faithful were enjoying economic success led to widespread dissatisfaction that was manifest first by a strike at the national airline, Air Zimbabwe. With the ongoing economic reforms, the cost of living had been increasing at an average of over 20 per cent a year, while wages and salaries did not keep up. The general dissatisfaction persisted and further demonstrations and strikes paralysed large sections of the manufacturing industry as the time for the yearly July wage increases were due to be negotiated." [90b]

- 3.07 Jane's continued:

"Facing a shortage of funds to finance both land reclamation and financial compensation for the war veterans, in late 1997 the government sought to raise taxes. ... Already burdened by high taxes and the eroding purchasing power of their money, workers reacted angrily by threatening a general strike. The strike was organised by the ZCTU (Zimbabwe Congress of Trade Unions) secretary general, Morgan Tsvangirai. Threats by government ministers carried in the media soon hardened attitudes. It was not long before demonstrations turned violent and, in response, the army was mobilised across the country to quell the riots, only returning to barracks in February 1998." [90b] (Internal affairs)

- 3.08 Jane's also noted that:



“It is possible to interpret 1998 as a year of political and economic crisis for Zimbabwe. Despite some positive signs, such as the IMF agreeing to restore USD183 million in aid, which had been suspended in 1995 following governmental failure to achieve first phase economic reform targets, the overall pattern of the economy showed a downward trend. An attempt to halt the economic malaise afflicting the country came in May 1998, when the new Zimbabwe Programme for Economic and Social Transformation (ZIMPREST) reforms were announced at the second National Economic Forum, coinciding with the welcome release of ZWD1 billion (USD59 million) by the IMF.” [90b] (Internal affairs)

- 3.09 The Economist Intelligence Unit’s Zimbabwe Profile 2008, dated 9 May 2008, noted that sections of the union movement, led by Morgan Tsvangirai’s ZCTU (Zimbabwe Congress of Trade Unions)

“... eventually formed an opposition political party, the Movement for Democratic Change (MDC), in September 1999.

“It led a successful campaign against Mr Mugabe’s proposed amendment of the constitution (which included some controversial clauses on land reform), which culminated in a ‘no’ vote in a national referendum on the issue in February 2000 that was widely perceived as a vote of no confidence in the government.” [24n] (p4)

- 3.10 Europa World Online (accessed 9 October 2009) reported that in the aftermath of the failed national referendum, the “... Government embarked on a campaign to restore its popularity prior to the legislative elections, which, it was announced in March 2000, were to be held in May rather than April.” As part of its drive to improve its popularity, the government oversaw the “... Illegal occupations of white-owned farms by black ‘war veterans’ (many of whom, too young to have taken part in the war of independence ...)” However, “Mugabe repeatedly denied that his administration was behind the occupations, but made no secret of his support for them. The invasions became increasingly violent, and two farmers were killed in April [2000]. ...” [1d] (Recent history)
- 3.11 The BBC Timeline for Zimbabwe, last updated on 9 April 2009, noted that Mugabe’s party (ZANU-PF) narrowly fought “... off a challenge from the opposition Movement for Democratic Change (MDC) led by Morgan Tsvangirai, but lost its power to change the constitution.” [3ag] Europa (accessed 12 June 2009) noted that there were widespread reports of violence and polling irregularities. International observers declared that the elections had not been free and fair. [1d] (Recent history)
- 3.12 Throughout 2000 and 2001 the government issued thousands of notices appropriating white farms, providing farmers with little in the way of a right of appeal. Europa noted that in November 2001 the government “... amended the Land Act by decree. According to the revised legislation, any farm issued with a ‘notice of acquisition’ would become the property of the state with immediate effect; previously, a farm owner had been served 90 days’ notice.” During this time, there were reports of continuing violent land seizures against white farmers by militia groups such as the ‘War Veterans’. [1d] (Recent history)

See also Humanitarian issues, [Land reform](#)

- 3.13 In March 2002 Mugabe was re-elected in presidential elections and was declared the "... winner on 13 March, with 56.2% of the valid votes cast; Tsvangirai secured 42.0%." Europa went on to note that the elections were condemned as seriously flawed by the opposition and foreign observers with reports of "... widespread electoral fraud and intimidation of the electorate and of observers by members of ZANU-PF." [1d] (Recent history)
- 3.14 Europa noted that:
- "Immediately after the election the Government enacted the Access to Information and Protection of Privacy Act [AIPPA], which required all journalists reporting in Zimbabwe to be approved by the state; seven journalists had been detained under the Act by early May. In April the NCA [National Constitutional Association] organized demonstrations in support of demands for a new constitution and a rerun of the presidential election, at which more than 80 demonstrators were arrested. Violence directed at supporters of the MDC intensified following the election, allegedly committed by ZANU-PF supporters, and more than 50 people were reported to have been killed between the election and the end of April." [1d] (Recent history)
- 3.15 Europa noted that:
- "Land seizures ... escalated, and in late March 2002 the Government listed almost 400 white-owned farms for compulsory acquisition, bringing the area scheduled for redistribution to the black population to around 85% of total commercial farmland. In June Mugabe issued an order listing some 2,900 white-owned farms for seizure ... In September the Land Acquisition Act was amended to allow the eviction of white farmers within seven days, as opposed to the 90 days previously required." [1d] (Recent history)
- 3.16 Europa noted that in Parliamentary elections held in March 2005, Mugabe won two-thirds of the votes allowing him "... to amend the Constitution. International observers from the African Union (AU) and the Southern African Development Community (SADC) [initially] endorsed the results ..." but "... later reversed their opinion and called for investigations into allegations of electoral fraud." The opposition, US and EU governments again condemned the results citing widespread electoral fraud. [1d] (Recent history)
- 3.17 Europa noted that: "In late May 2005 the Government launched Operation Murambatsvina ('Sweep Away the Rubbish'), which targeted black market trading—principally in foreign currency and fuel—and 'general lawlessness'. The MDC claimed that it was a punitive action against the urban poor who had voted against ZANU—PF in the elections in March." Planned and unplanned poor urban developments "... razed to the ground in Harare and other major cities, including Bulawayo and Gweru. The operation attracted widespread international condemnation and, according to a report by UN-Habitat published in late July, some 700,000 people were made homeless ..." [1d] (Recent history)
- 3.18 Europa noted that:



"In late August 2005 the House of Assembly approved a bill which ... provided for the reintroduction of a 66-member Senate (abolished in 1990) as the second chamber of the legislature; senatorial elections were held in late November 2005. The MDC was deeply divided over the issue of participating in the elections. Tsvangirai opposed electoral participation, advocating mass protests and 'democratic resistance'; however, a faction led by the party's Secretary-General, Welshman Ncube, fielded 26 candidates. ZANU-PF won 43 of the 50 elected seats, receiving 73.7% of the vote; MDC candidates took the remaining seven seats with 20.3% of the vote. The MDC effectively split in two, a 'pro-Senate' faction electing Arthur Mutumbara as its leader in February 2006. The rump [the largest part] of the party re-elected Tsvangirai as its President in late March ..." [1d] (Recent history)

3.19 Europa stated that:

"In mid-February 2007 police used tear gas and water cannons to prevent an MDC rally from proceeding in Harare, despite the organization obtaining a High Court order allowing the rally to take place. In late February anti-Government protesters took control of Budiriro township in Harare for several hours, setting up roadblocks of boulders and burning tyres. Political tensions intensified further when Tsvangirai was arrested in mid-March along with five other members of the MDC after riot police violently dispersed a 'Save Zimbabwe' prayer meeting in Harare's Highfield township. One activist was killed by the police and Tsvangirai suffered severe injuries while in police custody. The Government stated that the rally breached a recently introduced three-month ban on political gatherings. The incident provoked widespread international condemnation and demands for the release of those detained. Following an SADC summit in Dar es Salaam, Tanzania, in late March, it was announced that Mbeki had agreed to mediate between the MDC and the Zimbabwean Government; however, there were further reports of the mistreatment of MDC activists in police custody, provoking renewed opposition protests and repeated calls for Mugabe to relinquish the presidency. Nevertheless, in early April ZANU-PF declared that Mugabe would stand as the party's candidate in the 2008 presidential election." [1d] (Recent history)

3.20 Europa noted that:

"In early June 2007 constitutional amendments were proposed that would allow the legislative elections to be brought forward to coincide with the presidential election in 2008, harmonizing the presidential and parliamentary terms of office. The proposals also contained provisions for amendments to the structure of the House of Assembly and the Senate. The MDC opposed the proposals, which would, inter alia, allow the House of Assembly to nominate a new President should the incumbent stand down; under the existing structure, new elections would be required if the presidency were vacated. The MDC continued to be weakened by divisions between party members and in July it was announced that the two factions planned to field separate candidates in the presidential and legislative elections. Meanwhile, South African-led mediation between the MDC and ZANU-PF faltered amid worsening political and economic conditions; however, Mbeki denied that negotiations would collapse." [1d] (Recent history)

3.21 Europa noted that:

“On 30 October 2007 a number of changes to the Constitution were officially adopted. With effect from the 2008 elections, the House of Assembly was to be enlarged to comprise 210 directly elected members, while the total number of members of the Senate was to be increased to 93. ... The presidential term was reduced to five years. However, talks between ZANU-PF and the opposition failed to produce any agreement on electoral procedures and negotiations continued. ZANU-PF representatives insisted that further negotiations, expected to continue throughout November, would not delay the March 2008 elections.” [1d] (Recent history)

A thorough chronology of events in Zimbabwe is available from the BBC's Timeline [http://news.bbc.co.uk/1/hi/world/africa/country\\_profiles/1831470.stm](http://news.bbc.co.uk/1/hi/world/africa/country_profiles/1831470.stm) and from the Guardian <http://www.guardian.co.uk/world/2007/oct/04/zimbabwe>

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## 4. EVENTS IN 2008 AND EARLY 2009

## PARLIAMENTARY ELECTIONS: MARCH 2008

- 4.01 Amnesty International Report 2009 (AI report 2009) – Zimbabwe, published on 28 May 2009, covering events in 2008, reported that:

“On 29 March [2008] the country held presidential, parliamentary and local government elections in an environment that was relatively peaceful compared to previous elections. The elections followed a year-long dialogue between ZANU-PF and the two formations of the Movement for Democratic Change (MDC), facilitated by the Southern African Development Community (SADC). The March elections saw ZANU-PF losing its majority in parliament for the first time since independence in 1980.” [14b] (p360)

- 4.02 Sokwanele reported on 3 April 2008 that the Zimbabwe Electoral Commission (ZEC) had announced the results for 207 of the 210 parliamentary constituencies. The remaining three constituencies will be determined by by-elections following the deaths of three candidates prior to the March 29th elections: Pelandaba/Mpopoma, Gwanda South, and Redcliff.

### House of Assembly results (ZEC)

(Based on 207 constituencies counted)

MDC Mutambara	10
MDC Tsvangirai	99
ZANU-PF	97

(ZEC: Final results for the House of Assembly, 3 April 2008) [37b]

- 4.03 On 5 April 2008, Sokwanele reported that the ZEC had announced the results for all 60 elected Senate seats. ZANU-PF won 30 seats, the MDC T gained 24 seats and the MDC M took 6 seats. The Senate consists of 93 Senators: 60 directly elected by voters in 60 constituencies; 5 Senators appointed by the President; 10 Provincial Governors; 18 chiefs – 16 elected by fellow chiefs, plus the President and Deputy President of the Council of Chiefs ex officio. (ZEC: Final results for the House of Assembly, dated 5 April 2008) [37a]

## Presidential Elections: March - June 2008

- 4.04 Voting in the first round of the presidential elections took place at the same time as the parliamentary elections. [14b] (p360) However, the Economist Intelligence Unit reported in July 2008 that there were delays of close to “... five weeks before the results were announced ...” [24i] (p8) The AI report 2009, noted that “... Morgan Tsvangirai of the MDC obtained 47.8 per cent of the vote, Robert Mugabe of ZANU-PF obtained 43.2 per cent, while two independent candidates obtained less than 10 per cent combined.” [14b] (p360)
- 4.05 IRIN News reported on 1 May 2008 that MDC observers claimed that Morgan Tsvangirai had won the presidential ballot by close to, or over, the required 50 per cent, and questioned why it had taken over a month for the ZEC to release the results. Morgan Tsvangirai’s failure to secure 50 per cent, plus one vote, ensured that a second round of voting would need to take place. [10ai]
- 4.06 The AI report 2009 noted that the delay in announcing the election results, and in the scheduling of the second round of the presidential vote, provided the government with ample time in which to intimidate Zimbabweans into voting

for Mugabe. The wave of violence unleashed by the security forces, war veterans, and ZANU-PF supporters resulted in the deaths of at least 180 people "... and at least 9,000 people injured from torture, beatings and other violations ..." [14b] (p360) The violent retribution, termed 'Operation Mavhoterapapi' or 'Who did you vote for' (IRIN News, 1 May 2008) [10ai] caused Morgan Tsvangirai to announce on the 22 June 2008 that he was withdrawing from the second round of the election. "However, the Zimbabwe Electoral Commission ruled that the election should go ahead on 27 June. The June election was widely condemned by independent local and regional election observers." [14b] (p360)

- 4.07 Africasia (carried by the Zimbabwe Situation) reported on 29 June 2008, that President Mugabe claimed an overwhelming victory after seeing early unofficial count tallies. [40a] "Mr Mugabe won the run-off by a wide margin, getting 2.1m votes to the 233,000 for Mr Tsvangirai, whose name was still on the ballot papers despite his absence from the election." (Economist Intelligence Unit, July 2008) [24i] (p8)

### Global Political Agreement

- 4.08 Against a background of continuing violence, Amnesty International reported that increased "Efforts by SADC [Southern African Development Community] to find a political settlement between ZANU-PF and the two formations of the MDC resulted in a political agreement signed in September [2008]. However, negotiations to set up a unity government stalled over allocation of key government ministries including the Ministry of Home Affairs." [14b] (p360)

- 4.09 Jane's Sentinel, Zimbabwe Executive Summary, updated 13 March 2009, noted that:

"Under the September 2008 deal, Mugabe chairs the cabinet as well as the National Security Council, while Tsvangirai, as prime minister, chairs a new council of ministers, is deputy chair of the cabinet and a member of the National Security Council. The 31-member cabinet is to consist of 13 ministers nominated by the MDC-T, three by the MDC-M and 15 by ZANU-PF. ZANU-PF also nominate eight deputy ministers, the MDC-T six and the MDC-M one. However, actual implementation of the deal suffered months of deadlock as the rival sides fought over key ministries in the future government. While the MDC-T agreed to the deal, it appeared intent on not losing any more ground than it ceded during negotiations to ZANU-PF, with it continuing to fight, for example, for control of the Ministry of Home Affairs." [90a]

The BBC provided on 15 September 2008 a breakdown of the 'key points' of the deal, details of which can be found through the following link:  
<http://news.bbc.co.uk/1/hi/world/africa/7617731.stm>

The full text of the Global Political Agreement (GPA) can be found at the following link (Institute for Security Studies, 15 September 2008):  
[http://www.iss.co.za/dynamic/administration/file\\_manager/file\\_links/ZIMAGMT150908.PDF?link\\_id=5&slink\\_id=6575&link\\_type=12&slink\\_type=13&tmpl\\_id=3](http://www.iss.co.za/dynamic/administration/file_manager/file_links/ZIMAGMT150908.PDF?link_id=5&slink_id=6575&link_type=12&slink_type=13&tmpl_id=3)

- 4.10 Human Rights Watch noted on 14 January 2009 that: "... the frailty of the deal was soon apparent as the parties rapidly reached a deadlock on the distribution of ministries, with violence and intimidation against the MDC still

taking place.” [69c] The main sticking point appears to have been over the allocation of ten key ministries. Control of the home affairs portfolio, and therefore the police, was reported to have been a particular sticking point. (Institute for War and Peace Reporting, 20 January 2009) [77p] Sporadic talks continued for a further five months, with the three parties finally reaching an agreement at the end of January 2009. (Institute for War and Peace Reporting, 29 January 2009) [77q] The Economist Intelligence Unit (EIU) reported in February 2009 that as word of the agreement was announced on 30<sup>th</sup> January “Hundreds of Zimbabweans gathered in the capital, Harare ... to cheer the Zimbabwean opposition leader, Morgan Tsvangirai ... Mr Tsvangirai will be sworn in as prime minister on February 11th, after parliament approves a constitutional amendment creating the post.” (Zimbabwe Country Report, February 2009) [24p] (p3-4)

### The MDC joins ZANU-PF in Government

4.11 The International Crisis Group (ICG) reported on 20 April 2009, that the MDC’s decision to “... join the government was made amid major divisions within the party.” [100a] (p2) The Global Political Agreement, signed in mid September 2008, was seen by both factions of the MDC as an uneasy compromise that left them as the junior partners, but provided them with a reasonably viable route to power. (Solidarity Peace Trust, 30 June 2009) [65b]

4.12 However, the International Crisis Group (ICG) noted on 20 April 2009, that the largest faction of the MDC (Tsvangirai MDC) displayed important differences of opinion, with Tsvangirai pushing to enter, and a faction led by Tendai Biti opposed to power sharing. Biti argued that:

“... the best option was to continue to mobilise support at home and abroad so as to pressure Mugabe to resign the presidency.

“Tsvangirai’s preference was to initiate reforms through government, then win the next election decisively. After months of stalemate, the choices had narrowed, the party did not have a Plan B, and the deepening humanitarian and economic crisis was threatening its support base. With almost no chance that the African Union (AU) would agree to take on the Zimbabwe case, there was no realistic way to challenge SADC. This left the party with the choice of being blamed for the failure of the Global Political Agreement (GPA) or entering the government, despite its shortcomings.” [100a] (p2)

4.13 Under the agreement “... both factions of the MDC will join ZANU-PF in power. Despite the MDC holding a majority of the parliamentary seats, Mr Tsvangirai has been forced to accept a junior position in the power-sharing government, as ZANU-PF will continue to control the most important ministries [which included the Armed Forces, Central Intelligence Organisation, and the Judiciary].” (EIU Zimbabwe Country Report, February 2009) [24p] (p3-4) The IWPR reported that Mugabe had been forced by the Southern African Development Community (SADC) to make some concessions to the MDC. These included: “... reversing all executive appointments he has made since the signing of the Memorandum of Understanding in September.” And an even split between ZANU-PF and the MDC of “... the ten provincial governorships he had unilaterally allocated to his party. The regional bloc resolved that the party that had won the majority of seats in a province in last year’s parliamentary elections should govern that province.” [77q]

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## Tsvangirai sworn in as Prime Minister

- 4.14 The Economist Intelligence Unit reported on 13 February 2009 that “Morgan Tsvangirai was sworn in as prime minister on February 11<sup>th</sup> after parliament approved a constitutional amendment creating the post ... Arthur Mutambara – leader of the splinter opposition group MDC-M – became deputy prime minister. Robert Mugabe remains head of state. ... Zimbabwe’s new cabinet was sworn in on February 13<sup>th</sup>, completing the formation of the country’s new government of national unity.” [24f]
- 4.15 *The Times* noted on 12 February 2009 that following his swearing in as Prime Minister, Morgan Tsvangirai drove to Harare’s sports stadium to address supporters and well wishers. Many of the huge crowd that thronged the stadium were dressed in MDC t-shirts and hats which would have been kept well hidden days earlier. However, military leaders who enforced Mugabe’s rule stayed away from the inauguration ceremony of Zimbabwe’s military leaders so that “... they would not have to salute the new Prime Minister and state controlled television and radio failed to broadcast ... [Morgan Tsvangirai’s] inaugural speech.” [82ad]

Please see the March 2009 update of the Zimbabwe Country Report (<http://www.homeoffice.gov.uk/rds/pdfs09/zimbabwe-260309.doc>) for a more detailed narrative of the events surrounding the 2008 parliamentary and presidential elections and the signing of the power-sharing agreement on 15 September 2008.

See also [Latest news](#), [Security forces](#), [Political affiliation](#), [Recent Developments](#), and [Freedom of speech and media](#)

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## 5. RECENT DEVELOPMENTS (EVENTS SINCE JULY 2009)

### THE POWER SHARING GOVERNMENT

- 5.01 The Economist Intelligence Unit reported in its Country Report dated 7 September 2009 that:

“After six months in office the fault lines in Zimbabwe’s ‘inclusive government’ are growing more obvious, to the extent that the main parties cannot even agree on the administration’s title. Ministers from Morgan Tsvangirai’s Movement for Democratic Change (MDC) insist that the term ‘government of national unity’ is inappropriate, since Robert Mugabe’s Zimbabwe African National Union-Patriotic Front (ZANU-PF), which ruled the country from independence in 1980 until February 2009, is not interested in sharing power and repeatedly flouts the September 2008 Global Political Agreement (GPA). Meanwhile, ZANU-PF in the form of Didymus Mutasa, a minister in the president’s office, has spelled out its understanding of the agreement, telling Zimbabweans that power is not meant to be shared equally between Mr Mugabe and the prime minister, Mr Tsvangirai. Rather, Mr Mugabe ‘is the one who tells all of us, including the prime minister, what should be done.’ This hardly augurs well for the process of agreeing a new constitution, much of which will deal with the delineation of presidential powers.

“Ironically, given ZANU-PF’s apparent contempt for the power-sharing administration, it has joined with the increasingly dysfunctional MDC-M, the MDC breakaway faction headed by Arthur Mutambara, to canvass for the extension of the government’s life to a normal parliamentary term of five years. The reason is clear enough: according to an opinion poll carried out in May by the Zimbabwe Mass Communications Institute, ZANU-PF commands less than 10% support among voters, as against 57% for the mainstream MDC. Unsurprisingly, therefore, ZANU-PF and the MDC-M also want the 12-month ban on parliamentary by-elections, due to expire in September, to be extended for at least another year. Some 16 parliamentary and Senate seats are vacant, and if the agreement to allow incumbent parties to nominate replacements is not extended it is highly likely that all 16 currently held by either ZANU-PF or the MDC-M would go to Mr Tsvangirai’s party.” [24b] (p9)

- 5.02 Human Rights Watch noted in the report *False Dawn*, dated 31 August 2009 that:

“... the power-sharing government has managed, with assistance from international donors and aid agencies, to bring Zimbabwe’s serious humanitarian crisis under control and somewhat stabilize the country’s economic situation through a range of new policies, as set out in the Short-Term Emergency Recovery Programme (STERP). These measures have helped ease the harsh socio-economic situation of Zimbabwe’s most vulnerable communities, especially as regards access to food and containing the cholera outbreak, which at its peak infected more than 100,000 people and claimed more than 4,200 lives.” [69f] (p3)

- 5.03 However, Human Rights Watch went on to note that aside from the successes detailed above, the power-sharing government has achieved little else of substance, noted:

“These gains, however, are built on foundations of sand. Zimbabwe’s economic and humanitarian crises have been essentially caused by institutionalized political repression and disregard for the rule of law.<sup>3</sup> Unless the government makes significant improvements in its policies in these areas, including major human rights reforms, the advancements in the humanitarian and economic situations in recent months will deliver diminishing returns and will ultimately be reversed. For example, the power-sharing government has failed to resuscitate a broken health system, thereby leaving Zimbabwe vulnerable to another major cholera outbreak.” [69f] (p3-4)

- 5.04 The Solidarity Peace Trust report, *Walking a thin line*, published on 30 June 2009, noted that:

“A major obstacle to the GPA has been the continued failure of the new government to create a situation in Zimbabwe where there is total respect for human rights and the rule of law. ... There have been substantial reports by civic society produced in the last three months, listing the violations and lack of progress on human rights since the GPA was implemented in February 2009, the most recent being the statement by Irene Kahn, Secretary General of Amnesty International, on 18 June. ... Zimbabwe’s current relative stability is fragile and could be easily reversed. Coercive elements in the security sector continue to aggravate and oppose the GPA, which, if it should ultimately result in an election in which the MDC wins outright, is a threat to their status, personal security and wealth.” [65b] (p19)

- 5.05 *The Zimbabwe Times* reported on 20 July 2009 that: “Zanu-PF has allegedly deployed youths and war veterans across the country to campaign for the adoption of the so-called Kariba Draft of the constitution which is at the centre of a dispute between President Mugabe and the MDC.” The Movement of Democratic Change (MDC) stated that the draft (originally drawn-up before the formation of the government of national unity) should only be used as a reference for a new constitution. [32c] Sokwanele noted on 4 August 2009 that ZANU-PF continued its attempts to derail the constitution-making process, reporting that this “... process came into the open when its thugs disrupted the all-stakeholders’ conference at the Harare International Conference Centre, hurling abuse at the Speaker of Parliament, Lovemore Moyo, and bringing the proceedings into chaos.” The report went on: “Disruptions were led by ZANU-PF MPs Saviour Kasukuwere, Patrick Zhuwawo, former MP Nyasha Chikwinya, and war veterans Joseph Chinotimba. Police stood by as thugs pelted delegates with plastic bottles of water and shouted abuse. An MDC councillor sustained head injuries after he was assaulted by the thugs. The meeting was eventually abandoned.” [37c]

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## POLITICALLY MOTIVATED VIOLENCE

### Some areas of Zimbabwe are hit harder by violence

5.06 Reporting on 30 June 2009, the Solidarity Peace Trust noted that:

“An uneasy calm prevails in some parts of the country, while in others tensions remain high in the wake of the horrific violence of 2008.... While Matabeleland has a very violent and oppressed past, particularly pertaining to the 1980s massacres, in 2008 this region was comparatively spared the violence that affected much of the rest of rural Zimbabwe. This means that in 2009 Matabeleland is not as badly affected by the community divisions that intra community violence has left in Mashonaland, Midlands, Masvingo and Manicaland – although it is also not entirely unaffected by this. However, as far as the authors are aware, there have been no new incidents of political violence in rural Matabeleland this year and in our experience the democratic space is genuinely opening up in this region.” [65b] (p22)

5.07 In contrast to the Solidarity Peace Trust report above, IRIN reported on 27 July 2009, that there were reports that people suspected of supporting the MDC, in areas once regarded as ZANU-PF strongholds, such as Mashonaland West, East and Central, Masvingo and Manicaland, risked being abused and or beaten. The article reported “Morgan Komichi, a senior MDC official involved in rural organization, [who] told IRIN that ZANU-PF violence was increasing as the party went about shoring up its support ahead of the elections expected to take place once a new constitution has been agreed.” [10g]

5.08 SW Radio Africa reported on 30 October 2009 that “Thousands of MDC activists, in various districts of Mashonaland Central province ...” reported that they continued to live “... in a state of ‘generalised fear.’” Since the MDC’s disengagement from the power sharing deal, there have been reports of “marauding” ZANU-PF militias in the province having driven hundreds of MDC supporters away from their villages. In another report, “... 50 homes [in Chisweshe] belonging to known MDC supporters, were burnt down by ZANU-PF militias. ... Additionally, over 80 teachers fled the violence that erupted soon after the MDC disengaged from ZANU-PF.” [53g] IRIN News reported on 27 October 2009 that the number of teachers fleeing violence in Mashonaland Central province might be as high as 100. [10k]

Detailed information regarding the MDC’s disengagement from the power sharing deal is provided below at [5.14](#) - 5.22.

5.09 The last published monthly political violence report by the Zimbabwe Human Rights NGO Forum (ZHRF), covering June 2009, noted that levels of political violence increased slightly on the reported figures for June 2009, recording “... 125 as compared to 99 in May.” [35c] However, the number of human rights “... violations recorded in May [2009] was significantly lower than those in April [2009] ... May recorded a total of 103 violations as compared to 204 in April. [35d] During the period 1 January to 30 June 2009 the ZHRF recorded a total of 1,096 human rights violations. [35c] This figure is much reduced compared with the same period in 2008, at the height of the election violence, when there were 8,558 recorded human rights violations. [35e] The 2009 figures are

also markedly lower than the same period in 2007 when there were 5,307 recorded human rights violations. [35f]

- 5.10 However, it should be noted that on 14 October 2009 the ZHRF announced that it was suspending the production of the Monthly Political Violence Reports because it "... continued to receive new cases from 2008 that were previously unrecorded. The Forum has therefore resolved to suspend the production of the Monthly Political Violence Reports and resume such production once the statistics have been reconciled." The monthly reports can be found on the ZHRF website: [http://www.hrforumzim.com/frames/inside\\_frame\\_monthly.htm](http://www.hrforumzim.com/frames/inside_frame_monthly.htm)

See also [Latest News](#), [Police](#), subsection on [Torture](#), and [Political affiliation](#)

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### Intimidation and prosecution of MDC legislators and activists

- 5.11 The BBC reported on 9 June 2009 that one senior member of the MDC, Sekai Holland, Minister for National Healing, Reconciliation and Integration in the unity government, claimed that malcontents within ZANU-PF were sending daily threats and warnings to members of the MDC and "... were drawing up assassination lists.... With the worst violence planned to coincide with elections due in 18 months." Ms Holland, who "... was badly beaten by ZANU-PF supporters two years ago... claimed that militiamen would be paid a wage of [US]\$100 (£62) a day ..." during the next election to intimidate and kill Zimbabweans. Her comments echo earlier claims by Prime Minister Morgan Tsvangirai who criticised the speed of political change and commented that "... although the MDC was in government, it had not succeeded in restoring the rule of law and warned his party that Zimbabweans remained hungry and afraid of political persecution." [3e]

- 5.12 Human Rights Watch's report *False Dawn*, dated 31 August 2009, also noted that:

"A particularly worrying development since the formation of the government of national unity has been the arrest of MDC parliamentarians, mostly on trumped-up charges. Human Rights Watch reported on 31 August 2009 that the actions of the police and the Attorney General's office "...points to a drive by ZANU-PF to overturn MDC's slender majority in Parliament. At the time of writing, at least 16 MDC legislators have been arrested by police on charges ranging from public violence to kidnapping and rape; seven of whom have already been tried and convicted in unfair trials in which the judges are known ZANU-PF loyalists." The report went on to note:

"Of the seven already convicted, four have since been suspended from Parliament under laws that provide that members of parliament (MPs) sentenced to six or more months of imprisonment shall immediately cease to exercise their parliamentary functions.

"Other MDC legislators also face charges that carry potential prison sentences in excess of six months and they too are at risk of losing their seats in Parliament. Finance Minister Tendai Biti faces a treason charge that potentially carries a death sentence. Deputy Youth Minister and MP for

Nkulumane Thamsanqa Mahlangu faces a charge of stealing a mobile phone and is on bail awaiting trial. Senator Roy Bennett is charged with illegal possession of 'arms of war' and is on bail awaiting trial. Blessing Chebundo, Kwekwe Central MP, faces a charge of rape and is on bail awaiting trial. Trevor Saruwaka, Mutasa South MP, faces a public violence charge and is on bail awaiting judgment. Five MPs face charges of abusing subsidized farming inputs. ...These prosecutions are not only politically motivated; they are also often presided over by politicized and partisan officials loyal to ZANU-PF, making a fair and impartial hearing near impossible. Not a single ZANU-PF legislator has been arrested or prosecuted for criminal offenses since the GPA was signed, although a number are directly implicated in last year's political violence and other serious abuses, which resulted in the killing of over 163 MDC supporters between March and June 2008." [69f] (p7-8)

- 5.13 The Institute for the Democratic Alternative for South Africa's group, States in Transition Observatory, noted in a report, Zimbabwe Government of National Unity Watch – 6 Month review (published at the end of September 2009), that at the end of September 2009 there were 15 vacant seats in the House of Assembly. The MDC claims that many of these vacancies were caused by ZANU-PF actions to reduce their slim majority. [9d] (p3)

#### Roy Bennett detained in custody

- 5.14 *The Times* reported on 15 October 2009 that the MDC Deputy Agriculture Minister (designate), Roy Bennett, was refused extended bail by a court in Mutare, and was ordered to be detained in custody until his trial on dubious charges of "possessing arms for sabotage and plotting terrorism" is heard in the High Court. Mr Bennett's detention has increased tensions between Prime Minister Tsvangirai and President Mugabe, whose stance towards the MDC and western countries is believed to have softened in recent weeks. However, some political analysts expressed concern that the renewed detention formed part of the continuing backlash by ZANU-PF hardliners to derail the power sharing government. [82e] *The Times* reported on 26 October 2009 that a large number of observers believe that President Mugabe has lost control over elements of the security forces, which include many of the hardliners. [82g]

#### MDC DISENGAGES FROM THE TRANSITIONAL GOVERNMENT

- 5.15 As a direct result of Mr Bennett's imprisonment, Prime Minister Tsvangirai announced the next day, during a special press conference for the country's international diplomatic community that he had decided to withdraw MDC representation in the Cabinet and Council of Ministers - Mr Tsvangirai and MDC-T colleagues would boycott cabinet meetings. (Prime Minister's Office, 16 October 2009) [103a] *The Times* reported on 16 October 2009 that Mr Tsvangirai had accused President Mugabe of being a "dishonest and unreliable" partner in government and that the MDC would not cooperate with ZANU-PF in government until many of the outstanding issues were resolved. [82f]
- 5.16 During Mr Tsvangirai's address to the international diplomatic community, he noted the following obstacles faced by the MDC in the power-sharing government:

"In this period, we have seen a complete lack of paradigm shift on the part of

Zanu PF. Instead, we have seen total abuse and disrespect of the GPA and in particular of the MDC. Ministerial mandates have been changed unilaterally, government internal rules have not been changed to recognize the new reality. Over and above this, some government agencies, in particular few components in the National Security forces still behave as if the old order exists. The National Security Council itself has met only once in nine months. We are also aware of the extensive militarization of the countryside through massive deployment of the military and the setting up of bases of violence that we saw after the 29th of March 2008. Over and above this, we are aware of over 16 000 of Zanu PF youth functionaries who have been imposed on the government payroll.

“In addition, we have seen the continuous selective and unequal application of the rule of law. Seven MDC MPs have been persecuted and convicted on “shadowy charges whilst several others are on remand.

“The public media, in particular The Herald and the ZBC continue to propagate hate-speech, spread lies and foment division rather than acknowledging the MDC as a genuine and equal partner in the transitional government.

“The slow rate of movement and execution of positions agreed in the GPA is also as worrying as it is unacceptable. Indeed, the lack of real movement on the key issues of democratization of the media, the Constitutional reform process, the land audit and the rule of law issues in the GPA are issues that can no longer be ignored.” (Prime Minister's Office, 16 October 2009) [103a]

- 5.17 A report by the BBC, dated 27 October 2009, noted that Arthur Mutambara, Deputy Prime Minister, and leader of the smaller faction of the MDC, accused hardliners within ZANU-PF of seeking to “split the country’s unity government”. However, Mr Mutambara stated that he did not think that Mr Tsvangirai’s decision to disengage from the transitional government was the right decision, claiming that Mr Tsvangirai was playing into the hands of those who wanted to see the collapse of the government. [3ah]
- 5.18 Within weeks of the MDC’s disengagement from the power sharing government, a number of reports noted that there were intensifying “... attacks against MDC-T supporters in the rural areas ...” Both *The Standard* (Zimbabwe), dated 31 October 2009, and *The Times*, dated 30 October 2009, reported that stories were emerging of ZANU-PF militias re-deploying to rural areas and of them holding political meetings to intimidate MDC and opposition supporters. [70d] [82i] *The Times*, reported that Manfred Nowak, a UN investigator looking into reports of torture, was stopped from entering the country at Harare airport. On return to South Africa, Mr Nowak claimed that “There are alarming reports of violence in rural areas; of intimidation and torture.” Amnesty International also warned that the country was “... on the brink of sliding back into ... violence ...” [82i] The States in Transition Observatory, noted in the report, Zimbabwe Government of National Unity Watch – October 2009 (dated 10 November 2009), that Nowak, the United Nations Special Rapporteur, had been invited to Zimbabwe by personal invitation of Prime Minister Tsvangirai. [9f] (p5)
- 5.19 *The Standard* (dated 31 October 2009) noted that there were reports of MDC activist’s homes being torched and threats to kill people. There were also reports of youth militia camps being opened and the recruitment of a youth

militia was underway. [70d] The States in Transition Observatory report, dated 10 November 2009, noted that in Chiweshe district, 50 homes of MDC supporters were burnt to the ground by ZANU-PF youth militia members. [9f] (p8)

- 5.20 *The Times*, dated 30 October 2009, also noted that since the start of the current crisis, MDC officials and supporters, and civil society activists had begun to be arrested and abducted. *The Times* noted that

“A week ago, a group of heavily armed police raided an MDC house in Harare, claiming that they were searching for weapons. They forced the caretaker to dig up the garden with his hands but did not find anything.

“Two days later the chairman and chief executive of the National Association of Non-Governmental Organisations, an umbrella body of the country's charities, were arrested at Victoria Falls airport. They were accused of holding an illegal political meeting and held for two days before being released on bail.

“On Tuesday there were two abduction attempts on other MDC officials. One escaped when she screamed for help but the transport manager, Pascal Gwenzere, was dragged out of his township home by armed men in civilian clothes. He is still missing.

“A day later two officials at the Zimbabwe Election Support Network were arrested in a village in the remote northwest of the country where they were holding an election education workshop. They were charged with holding an illegal meeting.” [82i]

- 5.21 SW Radio Africa reported on 30 October 2009 that, Ndodhana Ndhlovu, one of the Zimbabwe Election Support Network (ZESN) staff members who was abducted on 28<sup>th</sup> October, was released on bail following charges of “...conducting a public outreach workshop, allegedly without police clearance.” However, another abductee, Thulani Ndhlovu, remained in custody. [53f]
- 5.22 *The Zimbabwe Times* reported on 3 November 2009 that Pascal Gwenzere, the MDC's transport manager, appeared in court on 31<sup>st</sup> October on charges of stealing guns from Pomona Barracks in Harare with the intention of destabilising the government. He was to be remanded in custody until the 12<sup>th</sup> November. According to Mr Gwenzere's lawyers, he was badly tortured whilst being held in custody for the two weeks before his appearance in court. [32b] On 28 September 2009, ZimOnline reported that Gordon Moyo, a minister of state in Morgan Tsvangirai's office, claimed that unknown people had tried to break into his house while he was at home and only left after he threatened to shoot them. [49d]
- 5.23 In connection with the alleged disappearance of guns from Pomona Barracks in Harare, *The Zimbabwean* reported on 31 October 2009, that “At least 12 soldiers died last week after they were brutally tortured by military intelligence agents ...” All 236 soldiers based at the barracks were reportedly arrested and held in custody and subject to questioning. The torture of military personnel was reported to have been carried out by Angolan or Congolese military under the orders of a Zimbabwean commanding officer. Observers commented that the alleged disappearance of guns from the barracks could either be part of an



internal ZANU-PF power struggle or a ploy to excuse a crack down on the MDC. [99b]

- 5.24 The States in Transition Observatory, noted in the report, Zimbabwe Government of National Unity Watch – October 2009 (dated 10 November 2009), that; “As a result of the MDC-T disengagement, ZANU-PF attempted to appoint its own supporters as acting ministers to replace those in MDC-T who had stopped attending cabinet meetings.” [9f] (p4)

### Tsvangirai calls off boycott

- 5.25 The BBC reported on 5 November 2009 that Morgan Tsvangirai announced that he was calling off his party's boycott of the unity government with President Robert Mugabe's ZANU-PF. Mr Tsvangirai said he was giving Mr Mugabe 30 days to implement the power-sharing agreement on "the pertinent issues we are concerned about". [3i] Mr Tsvangirai's decision to re-engage in the power-sharing government followed discussions at a special Southern African Development Community (SADC) summit brokered by South African President Jacob Zuma. Monsters and Critics, 8 November 2009) [109a] The summit's leaders set a 30 day time period for Mr Mugabe and Mr Tsvangirai to iron out their differences and prioritise issues of national interest. (Business Day, 6 November 2009) [17a]
- 5.26 SW Radio Africa reported on 16 November 2009 that the talks between the MDC factions and ZANU-PF were postponed to the last week in November until the MDC-M negotiators returned to the country. The negotiations were reported to be centred on the appointment of provincial governors, the fate of the Attorney-General and Governor of the Reserve Bank, the swearing-in of Roy Bennett and the National Security Council. [53b]

### Tensions within the MDC formations

- 5.27 The Economist Intelligence Unit reported in its September 2009 Country Report that:

“Mr Tsvangirai's insistence on a ‘non-confrontational stance’, while simultaneously pleading with the 14-member Southern African Development Community (SADC) and the international community at large to press Mr Mugabe and his supporters to honour the GPA, bewilders many party supporters and is eroding the prime Minister's credibility. A year ago there was much talk of a split between the pragmatists, spearheaded by Mr Tsvangirai, and the ‘young Turks’, led by the finance minister, Tendai Biti. Since then the gap between the two wings has widened, and while Mr Biti has been careful to avoid any criticism of the prime minister he cannot hide his mounting frustration at the extent to which the policies of MDC ministers are being blocked by the president, the cabinet and often by top Mugabe-appointed civil servants.

“The MDC is not alone in having to cope with mounting dissension in its ranks. Mr Mutambara's minority MDC is imploding, with three different factions laying claim to the leadership. Mr Mutambara has suspended three members of parliament, which means that there ought to be by-elections in their constituencies, but his party is claiming that under the GPA it can nominate

replacements. Meanwhile, ZANU-PF is deeply split on a replacement for the former vice-president, Joseph Msika, who died in August.

“With all three parties facing internal difficulties and unwilling to call new elections (a policy that would result in widespread bloodshed, according to the MDC), the interim government seems set to stagger on, an outcome that, in many respects, is the worst option for the country. Donors and investors are unwilling to take a position in so uncertain and fragile an environment, and the continued political stalemate is enabling the Mugabe administration to rebuild its intimidation machine in the rural areas (infiltrating the police and army with its trained youth militias, for example) while opening the MDC to charges of collaboration with Mr Mugabe.” [24b] (p9-10)

- 5.28 The Solidarity Peace Trust report, *Walking a thin line*, published on 30 June 2009, noted that: “Defections from the smaller and increasingly weaker MDC-M formation have already begun as the stronger MDC-T becomes a growing force in the state, with the possibilities of increased access to resources that this promises.” [65b] (p13)

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## 6. CONSTITUTION

- 6.01 Europa World online – Zimbabwe (The Constitution), accessed on 4 February 2009, noted that: “The Constitution of the Republic of Zimbabwe took effect at independence on 18 April 1980. Amendments to the Constitution must have the approval of two-thirds of the members of the House of Assembly and the Senate.” [1i]
- 6.02 Europa World online – Zimbabwe (The Republic), accessed on 4 February 2009, noted that: “Zimbabwe is a sovereign republic and the Constitution is the supreme law.” [1h]
- 6.03 Europa World online – Zimbabwe (Declaration of Rights), accessed on February 2009, noted that “The declaration of rights guarantees the fundamental rights and freedoms of the individual, regardless of race, tribe, place of origin, political opinions, colour, creed or sex.” [1j]
- 6.04 *The Telegraph* noted on 21 September 2007 that President Mugabe passed into law the new Constitutional Amendment (No.18) Act that saw broad and sweeping increases in the president’s powers of patronage. Among the most important changes that the Act introduces is an increase in the number of directly elected MPs from 120 to 210. Constituency boundaries will be re-drawn to create the 90 new constituencies. [5k] In addition, Veritas Trust noted on 30 October 2007 that the act will also reintroduce a second parliamentary chamber called the Senate, which will consist of 60 directly elected Senators and a further 33 appointees. [52b] The Act also empowers the Zimbabwe Electoral Commission “... to take over registration of voters, demarcation of constituencies and overall management of elections.” (BBC News, 8 November 2007) [49ct]
- 6.05 The Africa Research Bulletin, Volume 46 Number 4, dated 1<sup>st</sup>-30<sup>th</sup> April 2009, reported that the power-sharing government had:
- “... started writing a new constitution to replace the current supreme law drafted ... in 1980 ...Constitutional and Parliamentary Affairs Minister Eric Matinenga said the new constitution would be based on public submissions and is expected by the end of 2009. ...A new constitution has been a long-standing demand of the opposition, and is enshrined in the agreement for a coalition government which President Robert Mugabe and the opposition signed in 2008.” [76b] (p17930)
- 6.06 The Institute for the Democratic Alternative for South Africa’s group, States in Transition Observatory, noted in a report, Zimbabwe Government of National Unity Watch April 2009, that “... a 25 member parliamentary committee comprising of legislators from the MDC-T, MDC and ZANU-PF will lead the process of writing a new constitution. This process will finish with a referendum in July 2010.” [9a] (p2)



## A NEW CONSTITUTION

- 6.07 One of the first acts of the power-sharing government was the setting-up of a conference to write a new constitution. “Under the Global Political Agreement (GPA) signed by Zimbabwe’s three main political parties in 2008, the country should have a new and democratic constitution by mid-2010. New elections for president, parliament and local government will be held after the new constitution is promulgated.” However, the first attempt at collecting opinions for drafting a new constitution was abandoned on 13 July 2009 after rioting by rival political groups. (Africa Research Bulletin, 1-31<sup>st</sup> July 2009). [76a] (18035) Human Rights Watch noted in the report *False Dawn*, dated 31 August 2009 that the consultation process for the new constitution was progressing; however, it reported that the process had been “riddled with controversy” [69f] (p13), with key NGO and Civil Society groups having been excluded from the process. (Africa Research Bulletin, 1-31<sup>st</sup> July 2009) [76a] (18035) *The Zimbabwe Telegraph*, reported on 24 June 2009, that the “... MDC and civil society was vigorously campaigning against the adoption of the ‘Kariba’ draft as the blueprint of the constitution making process.” The MDC has argued that the constitution making process should be driven by the Zimbabwean people not by ZANU-PF’s Kariba draft. [106a] Human Rights Watch went on to note that the process is flawed and “... offers false hopes for reform. The process is ... unlikely ... to deliver the new, rights-respecting constitution that Zimbabwe desperately needs ...” [69f] (p13-14)
- 6.08 The States in Transition Observatory, noted in the report, Zimbabwe Government of National Unity Watch – October 2009 (dated 10 November 2009), that the “MDC-T has proposed that the new constitution should involve proportional representation in Parliament, limit terms in office for the president and prime minister and reintroduce dual citizenship ...” [9f] (p2)
- 6.09 The National Constitutional Assembly produced a document on the 15 April 2009 that discussed the shortcomings of the Kariba Draft constitution. A link to that document is here:  
[http://www.kubatana.net/docs/demgg/nca\\_shortcomings\\_kariba\\_draft\\_090415.pdf](http://www.kubatana.net/docs/demgg/nca_shortcomings_kariba_draft_090415.pdf)

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## 7. POLITICAL SYSTEM

### OVERVIEW

- 7.01 Jane's Sentinel Country Risk Assessment: Zimbabwe, dated 13 March 2009, noted that:

"The Lancaster House Constitution, agreed to in December 1979 just prior to independence from the UK, together with 16 amendments, is the fundamental law that determines Zimbabwe's governmental structure. It provided for a parliamentary democracy with majority rule, the protection of minority rights and three separate branches of government; the executive, the legislature and the judiciary. An incorporated bill of rights affords extensive protection of human rights which, during the first 10 years of independence, could only be amended by unanimous vote of the House of Assembly. The constitution was significantly amended in August 1984 and at the end of 1987 executive power was transferred from parliament and prime minister to a new position of executive president, filled by elevating the former prime minister. A provision for guaranteed seats for white Zimbabweans was also removed from the constitution at this time. From 1990, the president and the House of Assembly served different terms and, therefore, presidential and assembly elections took place on different dates. However, the 2008 polls were harmonised and also included senate and municipal elections. A constitutional amendment required for the formation of a power-sharing government in Zimbabwe, as per a September 2008 agreement, was passed on 5 February 2009." [90e] (Internal Affairs)

### THE EXECUTIVE BRANCH

- 7.02 Jane's Sentinel Country Risk Assessment: Zimbabwe, dated 13 March 2009, noted that:

"The president [Robert Mugabe] of the republic is head of state and government and commander in chief of the defence forces. To qualify for nomination, a presidential candidate must be a Zimbabwean citizen by birth or descent, aged 40 or above and resident in Zimbabwe. The president is elected by popular majority vote for a term of six years and may be re-elected for any number of further terms. He may appoint two vice-presidents, whose functions include assisting him to discharge his executive responsibilities. Executive authority is vested in the president and cabinet of ministers, which includes the vice-presidents and other ministers whom the president appoints. Together they control senior public service appointments, including those in the military and police. Each of the eight provinces of Zimbabwe is administered by a provincial governor appointed by the president. As per the September 2008 peace deal, the posts of prime minister and two deputy prime ministers were also created for the power-sharing government, with MDC-T leader Morgan Tsvangirai becoming prime minister." [90e] (Internal Affairs)

## THE LEGISLATIVE BRANCH

- 7.03 The CIA World Fact Book (Zimbabwe), updated on 5 May 2009, noted that the:

“... bicameral Parliament consists of a Senate (93 seats - 60 elected by popular vote for a five-year term, 10 provincial governors nominated by the president, 16 traditional chiefs elected by the Council of Chiefs, 2 held by the president and deputy president of the Council of Chiefs, and 5 appointed by the president) and a House of Assembly (210 seats - all elected by popular vote for five-year terms).” [56a]

## POLITICAL PARTIES

- 7.04 The CIA World Fact Book noted that the following political parties, with the leaders in square brackets, operated in Zimbabwe:

“African National Party or ANP [Egypt DZINEMUNHENZVA]; Movement for Democratic Change or MDC [Morgan TSVANGIRAI, Arthur MUTAMBARA, splinter faction]; Peace Action is Freedom for All or PAFA; United Parties [Abel MUZOREWA]; United People's Party or UPP [Daniel SHUMBA]; Zimbabwe African National Union-Ndonga or ZANU-Ndonga [Wilson KUMBULA]; Zimbabwe African National Union-Patriotic Front or ZANU-PF [Robert Gabriel MUGABE]; Zimbabwe African Peoples Union or ZAPU [Agrippa MADLELA]; Zimbabwe Youth in Alliance or ZIYA.” [56a]

See [Annex B – Political organisations](#) for more information on Zimbabwe's political parties.

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## 8. Human Rights

### INTRODUCTION

- 8.01 Freedom House's, *Worst of the Worst 2009*, Zimbabwe, released on 3 June 2009, noted that:

"Zimbabwe is not an electoral democracy. President Mugabe and the ruling ZANU-PF party have dominated the political landscape since independence in 1980. Presidential and legislative elections in March 2008 were marred by a wide-ranging and brutal campaign of violence and intimidation, flawed voter registration and balloting, biased media coverage, and the use of state resources to bribe and threaten voters. Despite political violence and vote rigging, the two factions of the opposition MDC won a majority of seats in the House of Assembly, while ZANU-PF maintained its majority in the Senate. The September power sharing agreement divided ministries between the two parties and installed Tsvangirai as prime minister, while Mugabe remained president. Corruption is rampant throughout the country, including at the highest levels of government." [96e]

- 8.02 The Freedom House report ranked Zimbabwe as one of the seventeen most repressive countries in the world, sitting alongside states such as Libya, North Korea and Somalia. [96e]

- 8.03 Commenting on the human rights situation in Zimbabwe since the formation of the government of national unity, Human Rights Watch's report *False Dawn* reported on 31 August 2009, that:

"ZANU-PF ... has shown at best negligible commitment and willingness to implement the far-reaching reforms envisioned in the GPA [Global Political Agreement]. At worst, ZANU-PF's conduct has deliberately undermined efforts to restore the rule of law and accountable government in Zimbabwe. The MDC's lack of effective power and its desire to ensure the survival of the power-sharing government is severely inhibiting its ability to push for human rights reforms. For instance, the MDC has not forcefully insisted on justice and accountability for human rights abuses, nor has it attempted to bring the perpetrators of those abuses to book." [69f] (p3)

- 8.04 The Solidarity Peace Trust reported on 30 June 2009, that in spite of the formation of the government of national unity, the government had failed "... to create a situation in Zimbabwe where there is total respect for human rights and the rule of law. ..." [65b] (p19) The report notes that peaceful demonstrations continued to be broken up by violent means with reports of violent arrests and assaults by security forces. "Farm invasions have continued, accompanied by abductions, assaults and theft of property, and again, invaders and the police have defied very direct ..." orders to stop by the Deputy Prime Minister. [65b] (p20)

"There have been substantial reports by civic society produced in the last three months, listing the violations and lack of progress on human rights since the GPA was implemented in February 2009, the most recent being the statement by Irene Kahn, Secretary General of Amnesty International, on 18 June. ... [these reports note] that Zimbabwe's current relative stability is fragile

and could be easily reversed. Coercive elements in the security sector continue to aggravate and oppose the GPA ..." [65b] (p19)

- 8.05 The States in Transition Observatory, noted in the report, Zimbabwe Government of National Unity Watch – October 2009 (dated 10 November 2009), that the power sharing government had agreed a shortlist of 16 candidates for the new Zimbabwe Human Rights Commission, these included MPs and Senators from both factions of the MDC and from ZANU-PF. [9f] (p3) However, progress on all areas of the GNU stalled as the MDC-T announced its disengagement from the government decision making bodies. [9f] (p4-5)
- 8.06 The Solidarity Peace Trust report also noted that while levels of harassment and intimidation were significantly reduced from the high levels of 2008, "Journalists, lawyers and members of civil society continue to be intimidated and denied their rights." [65b] (p19) However, IRIN reported on 27 October 2009 that the reduced levels of violence against members of the MDC "... increased sharply within days of the party 'disengaging' from Zimbabwe's unity government ..." [10k]

Please see the following sections for more information regarding abuses of human rights: [Politically motivated violence](#), [Police – Extra judicial killings](#), [Armed Forces – Extra judicial killings](#), [Abuses by ZANU-PF Youth Militia](#), [Abuses by War Veterans](#), [Prison conditions](#) and [Political Affiliation](#)

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## 9. SECURITY FORCES

### OVERVIEW

- 9.01 Human Rights Watch noted in the report *False Dawn*, dated 31 August 2009 that:

“The top leadership of Zimbabwe’s security forces, comprising the armed forces, police, prison service, and Central Intelligence Organization, remain partisan and aligned to President Mugabe and ZANU-PF. The leaders of the security forces who previously publicly declared their support for ZANU-PF and who were implicated in serious human rights violations associated with electoral political violence in 2008 have not been disciplined, removed from their posts, or charged with criminal offences.

“For example, the power-sharing agreement formally abolished the so-called Joint Operations Command (JOC), the body that Mugabe and pro-ZANU-PF security chiefs had used up to 2008 to run the country, and stipulated that it be replaced by a National Security Council, made up of the same security chiefs and chaired by Mugabe but with Prime Minister Morgan Tsvangirai as a member. However, this council, which was formed at the same time as the power-sharing government, has only met once in six months; under the terms of the power-sharing agreement, it is required to meet at least once every month. At the same time, ZANU-PF has continued to use the JOC’s provincial structures, and JOC members continue to hold clandestine weekly meetings with Mugabe. In this, as with other issues mandated under the GPA, ZANU-PF has shown no willingness to honor its commitments or change behavior.” [69f] (p15)

- 9.02 A report by the Council on Foreign Relations (CFR), published in the *Washington Post*, dated 28 March 2008, noted that: “Experts say that since the 2002 presidential election, the state itself has become increasingly militarized. Military figures, or ‘securocrats,’ occupy high-level positions in civilian institutions from the Grain Marketing Board to the Electoral Supervisory Commission to the Reserve Bank of Zimbabwe.” [31a] A report by the States in Transition Observatory, dated 8 October 2009, similarly observed that: “The government, since 1999, has operated through the army, with security sector personnel recruited into all sectors of the country’s economy, media, social services and quasi-government departments. Government expenditure on the security sector has increased and the security sector has ‘become law’ as it carries out violence for the ruling party.” [9c]
- 9.03 The CIA World Fact Book (Zimbabwe), updated on 5 May 2009, notes that the main military branches are the “Zimbabwe Defense Forces (ZDF): Zimbabwe National Army (ZNA), Air Force of Zimbabwe (AFZ) and the Zimbabwe Republic Police.” [56a] In addition, Jane’s Security Sentinel – Country Profile: Zimbabwe (Security and Foreign Forces, accessed 10 February 2009), reported that other security forces included the Central Intelligence Organisation and the Police Support Unit (PSU). The PSU is described as “...a de facto counter-insurgency and border patrol force...” The PSU is thought to number in excess of 2,000 full-time personnel...” [90m] (Security and Foreign Forces)

- 9.04 The US State Department Country Report on Human Rights Practices 2008, Zimbabwe, released on 25 February 2009, (USSD Report 2008), provided a summary of the security apparatus:

“The Zimbabwe Republic Police (ZRP) is responsible for maintaining law and order. Although the ZRP officially is under the authority of the Ministry of Home Affairs, in practice the president's office, through the [Joint Operations Command] JOC, controlled some roles and missions. The Zimbabwe National Army and Air Force, under the Defense Ministry, were responsible for external security; however, there were cases in which the government called upon them for domestic operations. The Central Intelligence Organization (CIO), under the Ministry of State for National Security, is responsible for internal and external security.

“Security forces were widely used to carry out government-sponsored politically motivated violence. Police routinely and violently disrupted public gatherings and demonstrations, and tortured opposition and civil society activists in police custody.

“It was difficult for rank-and-file police to remain impartial due to continued politicization of the force's upper echelons.” [2b] (Section 1d)

- 9.05 Sources report the active participation and collusion of all branches of the security forces, both formal and informal, in widespread human rights abuses and politically motivated violence. (Zimbabwe Human Rights NGO Forum, December 2008) [35I] (Overview) (States in Transition Observatory, dated 8 October 2009) [9c] (Human Rights Watch, 31 August 2009) [69f] (p3)

See [Latest News](#), [Recent Developments](#), [Humanitarian Issues](#) and [Human Rights](#) for more information about politically motivated violence.

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## MARANGE DIAMOND FIELDS

- 9.06 Human Rights Watch's report, *False Dawn*, dated 31 August 2009 documented serious human rights violations perpetrated by Zimbabwe's security forces in the Marange diamond fields since November 2006. Zimbabwe's armed forces, under the firm control of ZANU-PF, seized power in the diamond fields in late October 2008, a month after the signing of the power-sharing agreement, after killing more than 200 people.

“The government of Zimbabwe has failed to remove its armed forces from the diamond fields and to end related human rights violations there despite calls by the global diamond industry body, the Kimberley Process Certification Scheme (KPCS), for the government to take corrective action by July 20, 2009, or face suspension from the KPCS. Human Rights Watch found that instead of removing security forces from Marange and reforming its internal diamond industry, the government of Zimbabwe has rotated new army units into Marange to maintain its control. Human rights violations and smuggling continue, and witnesses to earlier abuses are being harassed and threatened. Human Rights Watch continues to receive reports of serious human rights



abuses in Marange; however, due to tighter military security, it has become increasingly difficult to access information.” [69f] (p12)

- 9.07 The Human Rights Watch report, *Diamonds in the rough*, dated 26 June 2009, noted that in addition to the army, who have been heavily deployed in the area, “Police officers were responsible for serious abuses – including killings, torture, beatings, and harassment – often by so-called ‘reaction teams’ deployed to drive out illegal miners. Miners described colleagues being buried alive. A police officer working with a reaction team told Human Rights watch of orders from senior officers to ‘shoot on sight’ miners found in the fields.” [69d] (p4)
- 9.08 The report continued, noting that hundreds of dead miners had been buried in mass graves. Most miners were reported as having been shot, but others are reported to have died of injuries sustained whilst being tortured. [69d] (p30-34) The report also noted that the army had forced up to 300 children to work in the diamond fields in very poor conditions. [69d] (p4)
- 9.09 Human Rights Watch reported on 6 November 2009 that: “The Kimberley Process, an international body governing the diamond industry, held a plenary meeting November 2 through 5 in Swakopmund, Namibia. The group deliberated whether to suspend Zimbabwe after a review mission, sent by the group itself, found ‘credible indications of significant non-compliance’ with the group’s minimum standards. In particular ... [it] documented ... rampant violence against local miners and residents by Zimbabwe police and army officers. The review mission recommended suspension of Zimbabwe and the appointment of a human rights expert to examine further abuses in Marange.” [69h]
- 9.10 However, the Human Rights Watch report concluded that the review group, who must reach a consensual decision, decided to impose lesser sanctions and no suspension, consisting of a plan [69h] “... proposed by Zimbabwe itself – which called for an independent inspector to monitor diamonds leaving the controversial fields.” However, the BBC reporting on 19 November 2009, noted that pressure from the Kimberley Process had caused the Zimbabwe government to announced that it would be pulling soldiers out of the area. [3t]

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## POLICE

- 9.11 Jane’s Sentinel Security Assessments – Southern Africa (Zimbabwe), updated 22 September 2009, noted that:
- “Zimbabwe Republic Police (ZRP): The force is an armed, quasi-military organisation, which is modelled more along the lines of a military gendarmerie than a civilian police force. It has approximately 20,000 full-time members and is deployed throughout the country. Its presence is most evident in cities and towns, but thinly spread in rural areas. It is responsible to the Ministry of Home Affairs. Following the signing of the power-sharing agreement in September 2008, one of the key portfolios fought over by the political rivals was that of Home Affairs. Subsequently, as per a recommendation of the regional Southern African Development Community (SADC), the portfolio was initially

to be co-managed by Robert Mugabe's Zimbabwe African National Union - Patriotic Front (ZANU-PF) and Morgan Tsvangirai's Movement for Democratic Change formation (MDC-T)." [90c] (Security and Foreign Forces)

9.12 The USSD 2008 report stated that:

"It was difficult for rank-and-file police to remain impartial due to continued politicization of the force's upper echelons. For example, in the [2008] pre-election period, police officers were reportedly forced to attend ZANU-PF rallies during work hours." The report went on to note that "... police officers were told that they were not to investigate or arrest ZANU-PF supporters who might have been implicated in political violence. ... There were reports that untrained or unqualified personnel were hired into the police solely because of their support for ZANU PF. There were reports that police and army personnel suspected of being sympathetic to the political opposition were demoted or fired." [2b] (Section1d)

9.13 The USSD 2008 continued:

"Police were poorly trained and equipped, underpaid, and corrupt. Severely depleted human and material resources, especially fuel, further reduced police effectiveness during the year. Corruption continued to increase in part due to low salaries and a worsening economy.

"Security forces were rarely held accountable for abuses. Frequent allegations of excessive force and torture were often dismissed by senior government officials who claimed that the actions were necessary to maintain public order. In March 2007, after security forces violently prevented a public gathering, Mugabe was widely quoted as saying that "the police have a right to bash" protesters who resist them.

"Mechanisms to investigate security force abuses remained weak. Court orders compelling investigations into allegations of abuse were routinely ignored by authorities. Government efforts to reform security forces were minimal, and training was rarely provided." [2b] (Section 1d)

9.14 The Africa Research Bulletin (ARB), Volume 46 Number 4, dated 1<sup>st</sup>-30<sup>th</sup> April 2009, reported that there were recent examples of the police taking no action against farm invasions, in spite of Deputy Prime Minister Mutambara calling for them to stop immediately. In most cases the police were reported to "... have been wholly supportive of the sometimes-violent activities." [76b] (17946)

9.15 Human Rights Watch noted on 31 August 2009 that despite the MDC ordering an end to farm invasions, the police had continued to collaborate in "... scores of illegal attacks on commercial farms since the power-sharing government took office. ... The vast majority of farm invasions were led by people with close links to ZANU-PF ..." The report went on to note that in most cases the police failed to make any arrests and "... refused to investigate or take any effective steps against the invaders, either to arrest them or to protect farm owners." [69f] (p11-12)

- 9.16 *The Zimbabwe Standard* reported on 24 January 2009 that concerns about increasing corruption within the police force appeared to be confirmed by the growing number of roadblocks on the country's major roads. The police claimed that the roadblocks are in place to enforce safety on the roads but motorist groups claimed that the roadblocks were simply there to generate revenue for corrupt officers. The report stated that police demand bribes of US\$5 per commuter bus, and commercial vehicles are asked for bribes of between 20 – 40 South African rand per trip. Some road hauliers complained of encountering up to four roadblocks on one road. [20a] The BBC reported on 9 June 2009 that police road blocks continued to be common throughout Zimbabwe, but especially near large towns and cities. Zimbabweans told the BBC that the "... police often asked drivers for 'presents' before letting them pass." [3k]

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### Arbitrary arrest and detention

- 9.17 The US State Department Report on Human Rights Practices 2008 (USDD 2008), published on 25 February 2009, stated that: "The constitution and law prohibit arbitrary arrest and detention; however, some laws effectively weakened this prohibition, and security forces repeatedly arbitrarily arrested and detained persons." [2b] (Section 1d)
- 9.18 The Zimbabwe Human Rights NGO Forum (ZHRF) noted in its *Monthly Political Violence Report – June 2009* that between 1 January 2009 and 30 June 2009 there were 480 unlawful arrests and detentions. [35c]

For information on politically motivated violence see Latest News, [Recent Developments](#), in particular subsection [Political violence](#), and [Political affiliation](#)

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### Torture

- 9.19 The US State Department Report on Human Rights Practices 2008 (USDD 2008), published on 25 February 2009, stated that:

"Although the constitution prohibits torture and other cruel, inhuman, or degrading treatment or punishment, security forces continued to engage in such practices. Security forces routinely committed political violence, including torture of citizens in custody, particularly in areas suspected of heavy support for the opposition. ... police units organized, participated in, or provided logistical support to perpetrators of political violence and generally permitted their activities. Police also refused to record reports of politically motivated violence or destruction of property. Police used excessive force in apprehending and detaining criminal suspects. Government supporters continued to assault suspected and known opposition members and their families, civil society activists, and student leaders. Violent confrontations

between various youth groups aligned with either the government or the opposition continued.” [2b] (Section 1c)

- 9.20 The Human Rights Watch *World Report 2009* (Zimbabwe), dated 14 January 2009, covering events in 2009, noted that: “The police are responsible for widespread violations, including harassment, threats, and violence against opposition supporters and human rights activists, as well as torture and other mistreatment. Police have routinely refused to take action against ZANU-PF supporters and militia implicated in political violence.” [69c] Human Rights Watch reported on 22 January 2009 that: “ZANU-PF controlled police units continue to violently break up peaceful protests, and routinely arrest and harass MDC activists.” [69g] (p3) Human Rights Watch reported on 31 August 2009 that the “... police remained under the leadership of Augustine Chihuri, a self-proclaimed ZANU-PF supporter.” The report noted that the police remained partisan in their dealings with individuals affiliated to political parties other than ZANU-PF, often failing to intervene when ZANU-PF supporters attacked MDC and opposition supporters. [69f] (p5-6)
- 9.21 The USSD 2008 went on to note that the police were implicated in “Torture and other assault methods commonly reported included beating victims with sticks, whips and cables; suspension; burning; electric shock; and falanga (beating the soles of the feet).” [2b] (section 1c) The Zimbabwe Human Rights NGO Forum (ZHRF), reported on 9 August 2008, that during the height of the election backlash (between May and August 2008) against those who voted for the MDC, over 30 per cent of reports of violence were attributed to the police. [35n] (p11)

See [Latest News](#), [Recent Developments](#) and [Politically Motivated Violence](#)

### Extra-judicial killings

- 9.22 The USSD 2008 noted that:
- “The government or its agents committed politically motivated, arbitrary, and unlawful killings during the year. By year's end over 193 citizens had been killed in political violence that targeted members of the opposition party. The MDC claimed that approximately 200 other members and supporters were missing and presumed dead at year's end. The killings were primarily committed by members of ZANU-PF, ZANU-PF youth militia, war veterans, and, to a lesser extent, members of the military and police. The majority of politically motivated killings occurred between the March 29 harmonized election and the June 27 presidential run-off election. NGOs also estimated security forces killed between 200 and 300 citizens in the Chiadzwa diamond fields in Manicaland Province.” [2b] (section 1a)
- 9.23 The Human Rights Watch report, *Diamonds in the rough*, dated 26 June 2009, noted that: “Police officers were responsible for serious abuses – including killings, torture, beatings, and harassment – often by so-called ‘reaction teams’ deployed to drive out illegal miners. Miners described colleagues being buried alive. A police officer working with a reaction team told Human Rights watch of orders from senior officers to ‘shoot on sight’ miners found in the fields.” [69d] (p4)

- 9.24 Human Rights Watch reported on 8 November 2008 that even where the police were not implicated in the extrajudicial killing of opposition supporters, they were often guilty of failing to make even rudimentary investigations where murders were believed to have been perpetrated by ZANU-PF supporters. (HRW, *Our Hands Are Tied*, 8 November 2008) [69i] (p26-27)

See [Recent Developments](#) and [Politically Motivated Violence](#)

### Abductions/disappearances

- 9.25 A large number of sources have reported that all branches of the security forces in Zimbabwe, including the police, have been involved in the arbitrary arrest, abduction and unlawful detention of Zimbabweans. (Zimbabwe Peace Project, 3 December 2008) [14b] (p361) (USSD 2008, 25 February 2009) [2b] (Section 1b & 1c) (Human Rights Watch report, 31 August 2009) [69f] (p11-12) (States in Transition Observatory, dated 8 October 2009) [9c]

Please see the section entitled [Abductions of Human Rights Activists](#) for more detailed information.

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### ARMED FORCES

- 9.26 Jane's Security Sentinel – Country Profile: Zimbabwe, section on the Armed forces, updated 29 September 2009, noted that:

“The Zimbabwe Defence Force has an official authorised strength of 40,000 but there are thought to be only 34,000 troops currently serving. 30,000 men and women serve in the [Zimbabwe National Army] ZNA, which has an authorised strength of 42,000, and 4,000 serve in the [Air Force of Zimbabwe] AFZ. Financial constraints saw the army reduced to 30,000 from the previous 46,000 in 2006. A major recruitment drive was, however, planned for 2007 to replace retiring personnel.” [90f]

- 9.27 The Jane's report continued:

“The government has been accused by the MDC of politicising the security forces. ZANU-PF loyalists from the liberation war dominate the senior echelons of the Zimbabwe Defence Force (ZDF) ... and have vested interests in perpetuating ZANU-PF's political dominance, if not Mugabe's own presidency. There are concerns whether hardliners among the security forces and among ruling party supporters would accept any regime change. In March 2008 the army threatened to overturn the constitutional order if President Robert Mugabe lost the election later in the month. Soldiers were being mobilised by Mugabe ahead of the run-off election between him and Morgan Tsvangirai the following June, from which the latter subsequently withdrew following escalating violence against Movement for Democratic Change (MDC) members.

“Commanders of the army and air force and other senior military personnel vowed they would not salute Morgan Tsvangirai who was appointed prime minister of the new unity government in February 2009. This situation held until the following August when army commander Lieutenant General Philip

Sibanda and Air Marshall Perrance Shiri were seen to salute Tsvangirai during Defence Forces Day, an action reported to be a result of negotiations involving Mugabe's and Tsvangirai's political aides. They were still the only officers to show this respect to the prime minister." [90f] (Armed Forces)

- 9.28 The Economist Intelligence Unit, Zimbabwe Country Profile 2008, dated 9 May 2008, noted that:

"Since early 2005 a worrying trend within Zimbabwe has been Robert Mugabe's increasing use of the military in virtually all areas of government. In addition, many important state-owned corporations are headed by retired military officers. Although this has helped to shore up and maintain the president's authority, it has led to other problems. In particular, although Mr Mugabe believes that he can rely on the military to be loyal to him, the increased militarization of government is promoting divisions within ZANU-PF that will be difficult to heal in the long run." [24n] (p5)

### Arbitrary arrest and detention

- 9.29 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that: "The constitution and law prohibit arbitrary arrest and detention; however, some laws effectively weakened this prohibition, and security forces repeatedly arbitrarily arrested and detained persons." [2b] (Section 1c)
- 9.30 A large number of sources have reported that all branches of the security forces in Zimbabwe have been involved in the arbitrary arrest, abduction and unlawful detention of Zimbabweans. Please see the section entitled Abductions of Human Rights Activists for more detailed information.

### Torture

- 9.31 Amnesty International reported in its Annual Report 2009, covering events in 2008, released on 28 May 2009, that:

"Torture and other ill-treatment of opposition supporters were widespread following the 29 March elections in Mashonaland, Midlands, Manicaland and Masvingo provinces. In most districts, war veterans, soldiers and local ZANU-PF leaders established makeshift torture camps. The camps were set up in tents, clearings within a community, classrooms or at the homes of ZANU-PF officials or displaced MDC activists.

"Local people were forced to attend all-night meetings at these camps. They were made to watch their neighbours being beaten and warned that if they did not vote for ZANU-PF on 27 June they would face a similar fate. MDC supporters were forced to denounce the party and surrender all their party materials, including t-shirts and membership cards. Dozens of MDC supporters died after beatings at these camps. Local youths were forced to attend the camp meetings and participate in beatings." [14b] (p362)

- 9.32 The Zimbabwe Human Rights NGO Forum (ZHRF) reported on 9 August 2008 that during the height of the backlash against those who voted for the MDC, around 20 per cent of reports of violence were attributed to the army. [35n] (p11)



- 9.33 A range of sources noted that the army was involved in widespread human rights violations, including harassment, threats, and violence against opposition supporters and human rights activists, as well as torture and other mistreatment. (Zimbabwe Human Rights NGO Forum, 18 December 2008) [35j] (Zimbabwe Human Rights NGO Forum, 13 February 2009) [35j] (Human Rights Watch, 29 January 2009) [69c] (Zimbabwe Human Rights NGO Forum, 24 August 2009) [35c] (Human Rights Watch, 22 January 2009) [69g] (Pambazuka News, 4 December 2008) [46a]

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### Extra-judicial killings

- 9.34 The USSD 2008 noted that: “The government or its agents committed politically motivated, arbitrary, and unlawful killings during the year.” Most killings were “... committed by members of ZANU-PF, ZANU-PF youth militia, war veterans ...” but members of the army were also implicated. [2b] (section 1a)
- 9.35 The Human Rights Watch report, *Diamonds in the rough*, dated 26 June 2009, noted that the army was implicated in hundreds of murders of mine workers in the Marange Diamond Fields. Many of the miners were also tortured before being killed. [69d] (p4)
- 9.36 SW Radio Africa reported on 12 November 2009 that there was “... rising tension in the Zimbabwe National Army after a number of senior officers allegedly died from torture whilst in military detention.” The report noted that leaked reports from disgruntled colleagues at Pomona barracks stated that at least one senior army officer and three soldiers had died after being tortured. One other senior officer, and a further two soldiers, was reported to be critically ill. The tortures followed the recent disappearance of weapons from the barracks and demonstrate significant internal problems within the army. [53j] A further report noted that 120 Zimbabwean soldiers at KG V1 Barracks in Harare were believed to have been tortured during November with at least 12 having died in late October after the initial disappearance of weapons was discovered. (News Alert, 11 November 2009) [98a]

See [Recent Developments](#) and [Politically Motivated Violence](#)

### CENTRAL INTELLIGENCE ORGANISATION

- 9.37 A report by the Council on Foreign Relations (CFR), published in the *Washington Post*, dated 28 March 2008, noted that:
- “Experts say the most powerful arm of Zimbabwe's security apparatus is the Central Intelligence Organization (CIO). It is the ‘brains behind the regime,’ ... and [is] deeply feared by Zimbabweans inside and outside the country. There is no public record of the CIO's size, but it is thought to have thousands of operatives. Many Zimbabweans think the organization has a network of informers that extends into the Zimbabwean diaspora. Within Zimbabwe, CIO agents have infiltrated the MDC, and are believed to have covertly taken over two newspapers in 2006. Organizations such as Human Rights Watch have documented systematic acts of violence and intimidation committed by the



CIO and the police against opposition members or individuals suspected of allegiance to the opposition.” [31a]

- 9.38 Jane’s Sentinel Security Assessments – Southern Africa (Zimbabwe), updated 10 February 2009, noted that the Central Intelligence Organisation (CIO):

“... was formed by the Rhodesian authorities in the late 1960s as the country’s main civilian intelligence agency. It was later taken over by the Zimbabwe government, ideologically re-oriented and placed under the Ministry of National Security in order to adopt a protective role for the new regime. Political direction between 1980 and 1988 came from Emerson Mnangagwa, a leading ZANU-PF personality and one of the first ZANLA cadres from the Liberation War. Mnangagwa was replaced by former ZANLA doctor Sidney Sekeramayi, who served until August 2000, when he was replaced by former diplomat Nicholas Goche.

“The CIO was used by ZANU-PF after independence largely for accumulating financial data on the country’s wealthier citizens, acting as guardians of party loyalty and, surprisingly, did remarkably well at breaking-up sabotage and other attempts directed at the South African ANC and other groups in exile in Zimbabwe.

“Since 2000, the CIO has been used to spearhead the ZANU-PF political-economic programme, including farm occupations and the suppression of opposition politicians and media. Nevertheless, the CIO has not been immune to the wider crisis of Zimbabwe’s economy. In September 2001 it was reported that more than 500 members of the CIO were set to leave over poor working conditions. Subsequently, it was reported that major salary increases had been granted to CIO members to appease them. Libyan intelligence officers were also reported to have been sent to Zimbabwe to improve Mugabe’s security and intelligence system and technology supply agreements were reported to have been made with China.

“In April 2003, Brigadier-General (retd.) Happyton Bonyongwe was appointed by Goche as Director-General of the CIO. Maynard Muzariri was appointed as his deputy.” [90m] (Security and Foreign Forces)

- 9.39 Jane’s added that “The CIO has taken over immigration security at Harare International Airport in its search of dissidents (mostly MDC activists), especially on flights to the UK and US. It justifies this activity within the remit of co-operation in the international fight against terrorism.” [90m] (Security and Foreign Forces) *The Mail on Sunday* noted on 26 October 2007, that the “... airports are filled with ... Central Intelligence Organisation officers.” [94a]
- 9.40 On the subject of security at Harare Airport, Peta Thornycroft, writing in *The Telegraph* on 22 May 2006, noted that the details of every person passing through immigration is fed into a “...central system as part of Zimbabwe’s paranoia to detect undesirables, like journalists, or trade unionists.” [5c] (p1) However, in a radio discussion on 16 January 2007, she questioned the effectiveness of security processes at Harare Airport stating that “... I don’t know whether the Zimbabweans can get that sort of thing up and going efficiently [referring to South African Apartheid era entry/exit security processes] because they’re not terribly efficient at the airports, despite their electronic scanning.” (NewZimbabwe.com, 17 January 2007) [41d]

See also [Returned failed asylum seekers](#)

- 9.41 Dr Diana Jeater, Principal Lecturer in African History at the University of the West of England, noted in a briefing paper delivered at a seminar at the School of African and Oriental Studies on 30 March 2007, that: “The CIO and police have always been very efficient at being able to identify and locate people within Zimbabwe. ...There is good evidence that the CIO keeps lists of people who are suspected of sympathy with opposition positions. ... Evidence gathered by human rights groups confirms that the information in these lists covers a wide range of citizens, and is often based on information extracted by torture.” [58] (paras 3.3.2 and 4.5) An article in *The Zimbabwe Guardian* dated 28 June 2008, reported that CIO operatives in the UK were using the threat of being included in a “hit list” if MDC supporters in the UK did not refrain from supporting and fund raising for the opposition party. [43a]
- 9.42 CVNI.com, dated 3 July 2003, noted that “Over the last couple of years, the CIO has been widening its scope of operations. The agency now works actively with the ZANU–PF youth organisation; which is part of the state funded training programme of the Ministry of Youth Affairs. They are trained in a network of ‘youth camps’ across the country and in a short time have become a paramilitary extension of the CIO.” [88] (p2)
- 9.43 A range of sources noted that the CIO was involved in widespread human rights violations, including harassment, threats, and violence against opposition supporters and human rights activists, as well as torture and other mistreatment. (Zimbabwe Human Rights NGO Forum, 18 December 2008) [35j] (Zimbabwe Human Rights NGO Forum, 13 February 2009) [35i] (Human Rights Watch, 29 January 2009) [69c] (Human Rights Watch, 22 January 2009) [69g] The Zimbabwe Human Rights NGO Forum noted that during the latter half of 2008, “... the CIO embarked on an orgy of abductions and torture of civic society leaders ... and opposition party members ...” [35i] (Overview) (Pambazuka News, 4 December 2008) [46a]

See [Recent Developments](#) and [Politically Motivated Violence](#)

- 9.44 *The Los Angeles Times* reported on 26 September 2008 that the distribution of government food was partly controlled by the Central Intelligence Organization who ensured that opposition supporters were prevented from receiving food aid. [66b] ZimOnline reported on 14 May 2007 that CIO agents had asked traditional leaders in parts of Zimbabwe to compile lists of known MDC supporters. [49bq]
- 9.45 The USSD 2008 noted that:
- “CIO personnel have assumed faculty and other positions and posed as students at the University of Zimbabwe and other public universities to intimidate and gather intelligence on faculty who criticize government policies and students who protest government actions. CIO officers regularly attended all lectures where noted MDC activists were lecturers or students. In response both faculty and students often practiced self-censorship in the classroom and academic work.” [2b] (Section 2a)

- 9.46 Sources have for some time claimed that CIO operatives are working in the UK. (SW Radio Africa, July 2005) [89aj] (Institute for War and Peace Reporting, 23 June 2006) [77r] This was most recently reported in *The Independent* (UK) on 28 June 2008, “British security sources” confirmed that Zimbabwe’s Central Intelligence Organisation (CIO) was operating in the UK and was “...waging a highly organised campaign to terrify the 4,000 MDC members living in the UK.” The aim of the CIO’s operations in the UK is believed to be based on preventing or reducing the amount of funds raised for the MDC. The article noted that CIO operatives were using a variety of methods to intimidate MDC supporters in the UK, these included: “Filming of demonstrations outside the Zimbabwean embassy in London, followed by telephone calls to activists, warning that their details have been passed to the government in Harare, or that their families will face punitive sanctions... Disruption of dissident MDC meetings... and photographing members...” It was also noted that the CIO had intercepted “...information passed from the MDC’s London office to its headquarters in Harare, leading to the...” arrest of “dissidents hiding at the MDC HQ and churches in Harare...” [4m]

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## OTHER GOVERNMENT FORCES

### ZANU-PF YOUTH

- 9.47 Jane’s Sentinel Security Assessment Country Profile – Zimbabwe, section on Security and foreign forces, updated 10 February 2009 noted that:

“The National Youth Service programme was established in 2001 and is ostensibly a post-school ideological and vocational training scheme for those who are seeking to enter further education or government service. While initial proposals were for a compulsory programme for all Zimbabwean youth, experience over the first four years demonstrated capacity at five residential camps for just 6,000 youths per year, or about 2 per cent of each age group.

“Critics of the scheme say that the training camps are effectively ZANU-PF indoctrination facilities aiming to brutalise and co-opt a new generation of supporters for the ruling party and its third phase of the ‘liberation struggle’, replacing ZANLA veterans lost to age and HIV/AIDS. It is alleged that cadres, nicknamed ‘Green Bombers’ or ZANU-PF Youth Militia, are trained in torture and intimidation techniques before being unleashed back into the community to inform on and combat opposition activists. Female cadres have complained that rape is used as a standard method of breaking in new recruits. Training is certainly paramilitary in style, with uniforms and weapons handling.” [90m]

- 9.48 Jane’s Sentinel Security Assessments also noted that:

“Late in 2000, it was announced that a return to conscription was envisaged. Lack of resources modified this plan, the responsibility for organising it being transferred to the Ministry of Youth, Development and Job Creation. In August 2001 a national service intake was introduced for the first time since majority rule in 1980.

“As presently construed, national service ostensibly serves as a political introduction for employment in government service, be it the civil service or a military career. However, there is a heavy paramilitary element to the service and critics say that it aims to produce a political-military reserve force to back up or replace the ZANLA war veterans as they die out. An estimated 6,000 young Zimbabweans undergo training in the residential youth camps every year. However, the dire economic circumstances currently facing the government make it unlikely that the youth service is adequately funded or operating at full capacity.

“The mission of the National Youth Service is to ‘transform and empower youths for nation building through life skills training and leadership development’. However, members of the service are thought to be taught using ZANU-PF speeches and campaign material and have been condemned by the West and Africa for carrying out gross human rights violations on behalf of the party.” (Jane’s Sentinel Security Assessment – Zimbabwe, accessed 10 February 2009) [90i] (Armed Forces)

- 9.49 *The Zimbabwean* reported on 31 October 2009, that: “A government audit of employees employed by the ministry of youth has revealed that between April and June 2008, more than 10,000 ZANU-PF youth militia and graduates from Border Gezi Youth Centre were employed under mysterious circumstances without the jobs being advertised.” [99b] IRIN reported on 27 October 2009 the 10,277 youth militia members deployed to rural areas were recruited in May 2008, directly after ZANU-PF lost both the parliamentary and presidential elections. “The period of recruitment... coincided with escalating violence against MDC supporters, including incidents of murder, rape, torture and displacement, during the second round of the presidential ballot in 2008”. [10k]
- 9.50 A report by the Council on Foreign Relations (CFR), updated 9 June 2008, noted that:
- “The youth militia, also known as the Green Bombers, is part of Zimbabwe's National Youth Service, a program started in 2000. They loot land owned by white farmers, beat opposition members, and rape women and girls linked to opposition groups (NYT). Ahead of elections, they are charged with distributing food aid and intimidating voters. In April 2008, veterans and youth militias began targeting MDC members and supporters in a campaign of violence and oppression that included a network of illegal detention centers. A group of South African generals who conducted a fact-finding mission in early May found ‘shocking levels’ of state-sponsored violence, according to the International Crisis Group.” [31a]
- 9.51 The Institute for the Democratic Alternative for South Africa’s group, States in Transition Observatory, noted in a report, Zimbabwe Government of National Unity Watch (SITO Report) April 2009 “It is estimated that up to 29,000 ZANU-PF youth militia are still receiving government salaries as civil servants.” [9a] (p3) The October 2009 update, published on 10 November 2009, noted that ZANU-PF militants in the Mudzi area were reported to force villagers below the age of 35 to join the “green bombers”. It was also noted that: “Masvingo Governor Titus Maluleke ordered Mviso Mission Hospital in Zaka to ensure that two thirds of trainee nurses places should be filled by ZANU-PF Youth for courses starting in October.” [9f] (p8)

- 9.52 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that: "There were reports that the government removed from the civil service and the military persons perceived to be opposition supporters. There also were reports that the government assigned soldiers and youth service members to work in government ministries." [2b] (Section 3)
- 9.53 The USSD 2008 report also noted that:
- "The government gave preference to national youth service graduates among those entering and those seeking employment in the civil service, especially in the security forces. The stated purpose of the training camps was to instil national pride in youth, highlight the history of the struggle for independence, and develop employment skills; however, news reports quoted deserters as saying that the camps subjected trainees to partisan political indoctrination as well as military training. There were numerous credible reports that graduates were used by the government to carry out political violence." [2b] (Section 5)
- 9.54 The United States Department of Labor report, 2008 Findings on the worst forms of child labor – Zimbabwe (USDL 2008), dated 10 September 2009, noted that: "The minimum age for joining the National Youth Service training is 16 years." [38a]
- 9.55 The States in Transition Observatory, noted in the report, Zimbabwe Government of National Unity Watch – October 2009 (dated 10 November 2009), that: "Eight youth militia members involved in June 2008 election violence have been sentenced to three years imprisonment ..." [9f] (p8)

See [Latest news](#), [Recent Developments](#) and [Politically Motivated Violence](#)

### Abuses by the youth militia

- 9.56 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, noted that: "Youth wings of the ruling party continued to commit abuses against the opposition and members of civil society with impunity." They were used to "... harass and intimidate members of the opposition, labor, student movement, and civic groups, as well as journalists considered critical of the government." ZANU-PF youths were also reported to have been involved in the murder of opposition activists. [2b] (Sections 1a, 1c and 2d)
- 9.57 The Zimbabwe Human Rights NGO Forum (ZHRF) reported on 9 August 2008 that during the height of the election backlash between May and July 2008 over 30 per cent of reports of violence were attributed to the ZANU-PF Youth. [35n] (p11) Following the presidential run-off on 27 June 2008, there continued to be reports that youth militia members terrorised villagers in rural areas, with particular emphasis being placed on traditional ZANU-PF voting areas such as Mashonaland (east west and central) where the party did not gain the number of votes expected. (Human Rights Watch, 12 August 2008) [69a] (Zimbabwe Human Rights NGO Forum, 5 May 2008) [35g] (Amnesty International, 25 July 2008) [14f] Numerous recent reports noted the continuing use of violence and intimidation against MDC supporters and teachers. (IRIN, 27 October 2009)



[10k] (Solidarity Peace Trust, 30 June 2009) [65b] (SW Radio Africa, 30 October 2009) [53g] (Zimbabwe Human Rights NGO Forum, April 2009) [35c]

- 9.58 *The Harare Tribune* reported on 5 August 2008 that the Youth Militia had operated 55 “torture camps” across the country. It was reported that these had been used during and after the elections to torture and rape MDC activists. A list of the bases still operating was published which included locations and the names of Base Commanders. [33b]
- 9.59 *Pambazuka News* reported on 4 December 2008, that in one area of Zimbabwe, ZANU PF militia compiled lists of opposition supporters. Asterisks were added next to a person’s names to indicate the level of political activism and to “... also determine the severity of the physical attack they would receive.” [46a] (p3)
- 9.60 The Zimbabwe Human Rights NGO Forum, noted in its April 2009 report, published on 2 June 2009 that during April 2009 there continued to be reports of ZANU-PF youths involved in violent attacks on farm owners and workers. The report noted that: “The ZANU-PF youths who have occupied the commercial farms have become a law unto themselves ...[farm workers were] severely assaulted by ZANU-PF youths for talking to the Deputy Prime Minister Arthur Mutambara about the situation on Twyford farm in Chegutu.” Youths were reported to have been involved in a number of other farm invasions. [35a]

See [Latest news](#), [Recent Developments](#) and [Politically Motivated Violence](#)

- 9.61 Human Rights Watch reported on 12 August 2008 that the youth militia along with ‘War Veterans’, police and other security services generally did not face sanctions for the their actions. The report noted: “Abuses continue to take place with almost total impunity. Serious crimes are committed without investigation, prosecution or legal redress or compensation for the victims.” [69a] (p2)
- 9.62 Human Rights Watch reported on 31 August 2009 that:
- “ZANU-PF and its allies, namely so-called ‘war veterans’ and youth militia, continue to commit acts of political violence against MDC activists in Zimbabwe. For instance, they continue to operate sites throughout Zimbabwe that are used for torture, beatings, and harassment of MDC supporters. Additionally, ZANU-PF youth militia have been using schools across the country as centers for abuse, under the guise of being local Ministry of Youth ‘ward coordinators’.” [69f] (p5)
- 9.63 The States in Transition Observatory, noted in the report, Zimbabwe Government of National Unity Watch – October 2009 (dated 10 November 2009), that youth militia members were responsible for continued attacks against perceived opposition supporters. The report noted that 15 teachers were chased away from Jingamvura primary and Secondary schools following the MDC-T’s decision cease co-operation with the government of national unity. In another report, it was recorded that 50 homes of MDC supporters in Chiweshe district were torched by youth militia members during October. [9f] (p8)

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## WAR VETERANS

- 9.64 Jane's Sentinel Security Assessment Country Profile – Zimbabwe, section on Internal Affairs updated 10 September 2009, reported that:

“The Zimbabwe National Liberation War Veterans' Association (ZNLWA) emerged as a major pro-government pressure group in the 1990s, leading the occupation of white-owned farms in early 2000 and some forming pro-ZANU-PF militias to attack MDC supporters during the 2000 election campaign. War veterans have been able to act with impunity as the police have refused to restrain their activities. Indeed, the police, Zimbabwe Defence Force (ZDF) and Central Intelligence Organisation (CIO) are all run by veterans of the liberation war and genuine war veterans are technically stipended reserve force members of the ZDF, numbering about 55,000.” [90h]

- 9.65 Jane's Sentinel Security Assessments noted, updated 8 October 2008, that ‘war veterans’ are “... included in the reserve force and receive a gratuity (increasingly sporadically) from the Ministry of Defence for being technically available for duty.” [90i] (Armed Forces) Indicating the continuing influence of the War Veterans over the government, ZimOnline reported on 2 February 2007 that the government agreed a substantial increase in War Vet pensions. “The payout increase for war veterans leaves former fighters – known for doing little except campaigning for Mugabe and ZANU-PF every election time – earning more than junior school teachers ... ” In addition to the pension, ex-combatants are entitled to free treatment at state hospitals and free education for children at state schools. [49ba]

- 9.66 Jane's noted (updated on 20 June 2008) that:

“ZNLWA leader Jubulani Sibanda was suspended from ZANU-PF in December 2004 for attempting to obstruct the nomination of Joyce Mujuru as national vice-president. This prompted ZNLWA to assert its independent identity and stress that it was not bound to agree with ZANU-PF policy. A breakaway faction known as the Zimbabwe Liberators' Platform subsequently declared its opposition to Mugabe and the ZANU-PF inner circle.” [90g] (Internal Affairs)

## Abuses by the War Veterans

- 9.67 As previously recorded, Amnesty International's Annual Report 2009, covering events in 2008, reported that ‘war veterans’ were heavily involved in the torture and other ill-treatment of opposition supporters, resulting in the wounding and deaths of opposition supporters. [14b] (p362)
- 9.68 A wide range of sources noted that the ‘War Veterans’ were involved in widespread human rights violations, including harassment, threats, and violence against opposition supporters and human rights activists, as well as torture and other mistreatment. The following sources provide a number of examples of these abuses. (Zimbabwe Human Rights NGO Forum, April 2009) [35a] (Zimbabwe Human Rights NGO Forum, 18 December 2008) [35j] (Zimbabwe Human Rights NGO Forum, 13 February 2009) [35i] (Human Rights Watch, 29 January 2009) [69c] (Human Rights Watch, 22 January 2009) [69g] (Pambazuka News, 4 December 2008) [46a]



- 9.69 In collaboration with the ZANU-PF Youth Militia and the security forces, the 'War Veterans' participated in numerous attacks on opposition supporters and those suspected of sympathising with the opposition. 'War Veterans' were implicated in the torture and killing of opposition supporters with 163 people reported to have been murdered between 29 March and 12 August 2008. Even after the presidential run-off on 27 June 2008 and the start of power sharing talks between ZANU-PF and the two factions of the MDC, there continued to be reports that 'War Veterans' were involved in violent attacks against opposition supporters. (Human Rights Watch, 12 August 2008) [69a]
- 9.70 Human Rights Watch reported on 31 August 2009 that ZANU-PF's allies, the "... so-called 'war veterans' ..., continue to commit acts of political violence against MDC activists in Zimbabwe. For instance, they continue to operate sites throughout Zimbabwe that are used for torture, beatings, and harassment of MDC supporters." [69f] (p5)

See [Latest news](#), [Recent Developments](#) and [Politically Motivated Violence](#)

### IMPUNITY OF SECURITY FORCES

- 9.71 Amnesty International Annual Report 2009, Zimbabwe, covering 2008, released on 28 May 2009, observed: "The police were unable or unwilling to act against those responsible for instigating and committing human rights violations against people suspected of voting for the MDC in the 29 March elections. Repeated failure by the authorities to bring to justice people with links to ZANU-PF or members of the security forces allowed the violations to escalate." [14b]
- 9.72 Human Rights Watch reported on 31 August 2009: "On July 13, 2009, a well-organized group of ZANU-PF supporters and 'war veterans' beat up scores of MDC supporters and disrupted a national constitutional conference in the capital, Harare. No arrests were made despite a heavy police presence. The police remain under the leadership of Augustine Chihuri, a self-proclaimed ZANU-PF supporter." [69f] (p5-6)
- 9.73 However, while there were more reports of impunity by ZANU-PF activists, a report by 'States in Transition Observatory' (SITO) noted in April 2009 that two war veterans, and three ZANU-PF militiamen, were prosecuted "... for their involvement in election based violence last year targeted against the then opposition MDC." [9a] (p6)

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## MILITARY SERVICE

- 10.01 Jane's Sentinel Security Assessment – Zimbabwe (Armed Forces, updated: 8 October 2008), noted that Zimbabwe does not have conscription but plans to reintroduce some form of compulsory military service were announced in 2000. "Lack of resources modified this plan ..." and it is unlikely that this situation will change any time soon owing to the state of the economy. [90i]
- 10.02 The United States Department of Labor report, '2008 Findings on the worst forms of child labor – Zimbabwe (USDOL 2008)', dated 10 September 2009, noted that: "The minimum age for both military conscription and for voluntary recruitment into the Armed Forces is 18 years." [38a]
- 10.03 The Foreign and Commonwealth Office (FCO), in a letter dated 2 June 2005, regarding the termination of military service in the Zimbabwean Army, stated, that it is possible to resign from the Zimbabwean Army although anyone doing so will be required to serve a period of notice. The period of notice will vary depending upon the training that has been provided. "Any man claiming that he has left the Zimbabwe Armed Forces legitimately should have documents of discharge in his possession.
- "Terms and conditions of service are very similar to those in the British Army. Other ranks in the Zimbabwe Army sign on for 3, 7 or 20 years service. They can terminate their service at any time provided all their obligations, current at the time, have been met. Obligations might include time-bars for any training paid for by the military in civilian organisations. If the soldier wishes to leave before any time-bar has expired he will first be required to refund the Service all the charges for the course and the military salary paid to him while he attended the course. Early termination of service also brings penalties to pension entitlements." [13b]
- 10.04 A Human Rights Watch report, entitled *Diamonds in the rough*, published in June 2009, noted that the standard period of notice to leave the Zimbabwean Army was three months, although the report noted that because of increasing resignations and desertions, this may have increased to nine months. [69d] (p29)
- 10.05 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, noted that: "Military courts deal with courts martial and disciplinary proceedings only for military personnel. Police courts, which can sentence a police officer to confinement in a camp or demotion, handle disciplinary and misconduct cases. Defendants in these courts have the right to appeal to the Supreme Court." [2b] (Section 1e)
- 10.06 The USSD 2008 noted that: "The government gave qualified women access to training in the military and national service. Although there were advances for women within the armed forces in recent years, they continued to occupy primarily administrative positions." [2b] (Section 5)
- 10.07 The World Survey of Conscription and Conscientious Objection to Military Service conducted by War Resisters International in 1998, noted that "conscientious objection is legally recognised" in Zimbabwe. Section 24 of the 1979 National Service Act provides for exemption from military service on

conscientious grounds, such as religious beliefs, if conscription were to be introduced. It is not clear whether this exemption “applies to professional serving members of the armed forces”. [21]

- 10.08 The FCO, in a letter regarding the termination of military service in the Zimbabwean Army, stated on 2 June 2005 that:

“If a soldier is absent for more than 28 days he will be charged with desertion upon recapture, or his surrender. Absence for less than 28 days is normally dealt with under the lesser charge of ‘Absent Without Leave (AWOL)’ and can be dealt with summarily by the soldier’s Commanding Officer, with punishment ranging from restriction of privileges, to small fines or short custodial sentences of a few days’ duration. Desertion is a serious charge to be dealt with by Courts Martial and depending on the circumstances, could result in long custodial sentences e.g. years, forfeiture of all benefits and salary and dishonourable dismissal from the Service. In wartime, of course, the penalties of desertion are very severe indeed. Occasionally, a Commander will not follow the ‘book’ and summary punishments will go beyond delegated powers.” [13b]

- 10.09 The USSD 2008 report noted that defendants in the military had the right of appeal to the Supreme Court. [2b] (Section 1e) However, the USSD 2008 report did not state whether or not such trials met internationally accepted standards.

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## 11. JUDICIARY

- 11.01 Jane's Sentinel Security Assessment – Zimbabwe (Internal Affairs, updated: 13 March 2009), noted that: "The legal system is based on a mixture of Roman-Dutch and English common law. Judicial authority is vested in the Supreme Court, the High Court and subsidiary courts including Magistrates' Courts, Local Courts headed by traditional chiefs and headmen and Small Claims Courts." [90i]

### ORGANISATION

- 11.02 Europa World Online (accessed 2 February 2009) noted that there are four levels of courts, the highest being the Supreme Court.
- "The Supreme Court has original jurisdiction in matters in which an infringement of Chapter III of the Constitution defining fundamental rights is alleged. In all other matters it has appellate jurisdiction only. It consists of the Chief Justice, a Deputy Chief Justice and such other judges of the Supreme Court, being not less than two, as the President may deem necessary.
  - "The High Court consists of the Chief Justice, the Judge President, and such other judges of the High Court as may from time to time be appointed. Below the High Court are Regional Courts and Magistrates' Courts with both civil and criminal jurisdiction presided over by full-time professional magistrates.
  - "The Customary Law and Local Courts Act, adopted in 1990, abolished the village and community courts and replaced them with customary law and local courts, presided over by chiefs and headmen; in the case of chiefs, jurisdiction to try customary law cases is limited to those where the monetary values concerned do not exceed Z.\$1,000 and in the case of a headman's court Z.\$500."
  - Magistrates' Courts. "Appeals from the Chiefs' Courts are heard in Magistrates' Courts and, ultimately, the Supreme Court. All magistrates now have jurisdiction to try cases determinable by customary law." [1e]
- 11.03 Jane's Sentinel Security Assessment – Zimbabwe (Internal Affairs, updated: 13 March 2009), noted that: "The judiciary is headed by the chief justice who, together with other judges of the Supreme and High Courts, is appointed by the president after consultation with the Judicial Service Commission. According to the constitution, a judge may serve until the retirement age of 65 but this is often extended to 70 when a judge is in good health." [90i] The US State Department 25 February 2009, noted that: "The constitution provides that they [judges] may be removed from the bench only for gross misconduct and that they cannot be discharged or transferred for political reasons." [2b] (Section 1e)

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## INDEPENDENCE AND FAIR TRIAL

11.04 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, noted that the government used “[various methods] to undermine the independence of the judiciary, including giving farms and homes to judges. On August 1, the government newspaper The Herald reported that the Reserve Bank had given judges luxury cars, plasma televisions, and electricity generators.” [2b] (Section 1e)

11.05 The USSD 2008 noted that:

“The constitution provides for the right to a fair trial; however, this right frequently was compromised in practice due to political pressures. Defendants enjoy a presumption of innocence under the law; however, this was not always preserved in practice. Trials were held by judges without juries and were open to the public, except in certain security cases. Every defendant has the right to a lawyer of his or her choosing, but a local attorney reported that most defendants in magistrates' courts did not have legal representation. In criminal cases an indigent defendant may apply to have the government provide an attorney, but this was rarely granted except in capital cases, where the government provided an attorney for all defendants unable to afford one. Litigants in civil cases may request free legal assistance from the Legal Resources Foundation or ZLHR. ... The right to appeal exists in all cases and is automatic in cases in which the death penalty is imposed.” [2b] (Section 1d)

11.06 The USSD 2008 continued:

“Magistrates, who are part of the civil service rather than the judiciary, heard the vast majority of cases. Legal experts said that defendants in politically sensitive cases were more likely to receive a fair hearing in magistrates' lower courts than in higher courts, where justices were more likely to make political decisions. ... most junior magistrates and magistrates in rural areas did not benefit from government patronage. Instead, government sympathizers relied on threats and intimidation to force magistrates, particularly rural magistrates, to rule in the government's favor. Some urban-based junior magistrates had demonstrated a greater degree of independence and granted MDC and civil society activists bail, against the government's wishes. Other judicial officers such as prosecutors and private attorneys also faced political pressure, including harassment and intimidation.” [2b] (Section 1e)

11.07 Freedom House in its *Freedom in the World 2009* report, Zimbabwe, covering events in 2008, released on 16 July 2009, stated:

“While some courts have struck down or disputed government actions, increasing pressure by the regime has substantially eroded judicial independence. The accused are often denied access to counsel and a fair, timely trial. The government has repeatedly refused to enforce court orders and has replaced senior judges or pressured them to resign by stating that it could not guarantee their security; judges have been subject to extensive physical harassment. The vacancy of nearly 60 magistrate posts has caused a backlog of some 60,000 cases.” [96a] (p5)

- 11.08 Amnesty International's Annual Report 2008, Zimbabwe, covering events in 2007, released May 2008, noted that "many judicial officers' salaries were below the poverty line..." leading to high levels of corruption in the judicial system. [14d] (p3)
- 11.09 The Economist Intelligence Unit's Zimbabwe Country Profile 2008, dated 9 May 2008, noted that growing political pressure on the judiciary has seen the replacement of judges who seem "... unwilling to follow the ZANU-PF line ... leaving a highly politically compromised and corrupt judiciary." [24n] (p6) The International Crisis Group (ICG) reported on 20 April 2009, that where judges and magistrates have not been removed "... police have repeatedly refused to obey ... court orders." [100a] (p5) *The Times* (dated 1 June 2009) also noted that court rulings were often ignored by security forces. [82b]
- 11.10 The Solidarity Peace Trust report, 'Walking a thin line', published on 30 June 2009, noted that in addition to the formal judicial process, there was evidence that on a small local level that "... local traditional leadership has tried to intercede to bring redress at the village level. Conflict resolution and peace building initiatives are slowly finding space ..." [65b] (p20)

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## 12. ARREST AND DETENTION – LEGAL RIGHTS

### ROLE OF POLICE AND SECURITY APPARATUS

- 12.01 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 May 2009, noted that:

“The Zimbabwe Republic Police (ZRP) is responsible for maintaining law and order. Although the ZRP officially is under the authority of the Ministry of Home Affairs, in practice the president's office, through the JOC, controlled some roles and missions. The Zimbabwe National Army and Air Force, under the Defense Ministry, were responsible for external security; however, there were cases in which the government called upon them for domestic operations. The Central Intelligence Organization (CIO), under the Ministry of State for National Security, is responsible for internal and external security.” [2b] (Section 1d)

### ARREST AND DETENTION

- 12.02 The USSD 2008 noted that:

“Arrests require court-issued warrants, and the law requires that police inform an arrested person of the charges before taking the individual into custody; however, these rights were not respected in practice. Although the law requires a preliminary hearing before a magistrate within 48 hours of an arrest (or 96 hours over a weekend), authorities routinely disregarded the law if a person did not have legal representation. Police typically made arrests which may have been politically motivated on Friday, which permitted legal detention until Monday. There were numerous reports of security forces arbitrarily arresting opposition and civil society activists, interrogating and beating them for information about their organizations' activities, and then releasing them the next day without charge.

“Although the Criminal Procedures and Evidence Act substantially reduces the power of magistrates to grant bail without the consent of the attorney general or his agents, a circular issued by the attorney general giving a general authority to grant bail lessened the negative effect of the law in practice. High Court judges at times granted bail independently. The act allows police to hold persons suspected of committing economic crimes for up to four weeks without bail.” [2b] (Section 1d)

- 12.03 The USSD 2008 report also noted:

“Authorities often did not allow detainees prompt or regular access to their lawyers and often informed lawyers who attempted to visit their clients that detainees were ‘not available,’ especially in cases involving opposition members and civil society activists. In several cases police claimed not to know where they were holding a detained individual, which delayed a hearing on bail release. Family members sometimes were denied access unless accompanied by an attorney. Detainees were often held incommunicado. Family members and attorneys often could not verify that a person had been arrested until the individual appeared in court. ... There were reports that



victims or witnesses of crimes were detained or charged with the crime after reporting it to police.” [2b] (Section 1d)

- 12.04 Amnesty International’s International Report 2009, covering events in 2008, reported that the police colluded with ZANU-PF supporters and illegally detained human rights defenders and opposition activists. Detainees were denied prompt access to lawyers and medical treatment. [14b]

See also [Security forces, Arbitrary arrest and detention](#)

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### 13. PRISON CONDITIONS

- 13.01 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, noted that:

“Prison conditions remained harsh and life-threatening. The government's 42 prisons were designed for a maximum of 17,000 prisoners. In May [2008] the Ministry of Justice, Legal, and Parliamentary Affairs reported that the country's prisons held between 22,000-24,000 prisoners; however, a local NGO reported that they actually held approximately 35,000 inmates [confirmed by the BBC on 1 April 2009 [3n]]. Prison guards beat and abused prisoners. Poor sanitary conditions and overcrowding persisted, which aggravated outbreaks of cholera, diarrhoea, measles, tuberculosis, and HIV/AIDS related illnesses. Human rights activists familiar with prison conditions reported constant shortages of food, water, electricity, clothing, and soap. According to the 2006 Solidarity Peace Trust and Institute for Justice and Reconciliation report *Policing the State*, ‘political arrestees are routinely and deliberately overcrowded, with 30 or more people being kept at times in cells intended for six,’ and those ‘who have been severely beaten by the police and have fractures and other injuries, are routinely denied any access to health care or medication for varying periods of time.’ In June then-Deputy Attorney General Johannes Tomana acknowledged overcrowding and stated, ‘jail is not nice. It is not meant to be nice.’ Tomana was appointed Attorney General in December.” [2b] (Section 1c)

- 13.02 The USSD 2008 report noted:

“Food shortages were increasingly serious in most prisons. Some prisoners reported receiving only one small meal a day. According to the Zimbabwe Association for Crime Prevention and Rehabilitation of the Offender, an average of two prisoners died in custody each day. In December the media reported that in some prisons, guards stole food from prisoners. ... “Most prison deaths were attributed to harsh conditions, hunger, and HIV/AIDS. In 2006 a local NGO estimated that 52 percent of prisoners were HIV-positive. In 2006 Zimbabwe Prisons Service Commissioner General Paradzai Zimondi described the mortality rate in prisons as a ‘cause for concern.’ In November the local press reported that some prisoners with hunger-related health conditions were released from prisons.” [2b] (Section 1c)

- 13.03 A number of sources reported that conditions within Zimbabwe's prisons continued to deteriorate as a lack of funding resulted in shortages of essentials such as food, medication and sanitation. The *Zimbabwe Independent* noted on 30 January 2009 that the country's 55 prisons were suffering critical shortages of food, water and electricity. Water supplies at Chikurubi Maximum Security Prison was described as “... erratic, exposing inmates to numerous diseases.” The report also noted that sick inmates with communicable diseases were not being quarantined. [11d] (BBC News, 1 April 2009) [3n] (The Sunday Mail, 23 August 2009) [104a]
- 13.04 *The Sunday Mail*, dated 23 August 2009, reported that the water supply at Khami Maximum Security Prison in Bulawayo had had its water supply cut off after the prison service failed to pay US\$230,000 of unpaid water bills. The prison, which holds over 2,000 inmates, has no other alternative supply of

potable water and observers raised concerns that diseases such as cholera would take hold if nothing was done to restore the water supply. The article observed that “This development comes amid reports that [the Zimbabwe Prison Service] ZPS is facing serious budgetary constraints that have led to malnutrition, poor sanitation and acute shortages of drugs to treat diseases such as tuberculosis (TB).” [104a]

- 13.05 The Institute for the Democratic Alternative for South Africa’s group, States in Transition Observatory, noted in a report, Zimbabwe Government of National Unity Watch (SITO Report) April 2009, noted that 20 prisoners were released “... from Khami Prison on medical grounds, after the South African Broadcasting Corporation Television 3 (SABC 3) screened a documentary called ‘Hell Hole’.” [9a] (p3) A BBC documentary filmed secretly over a number of months, “... exposed horrific conditions in the country’s jails ...” Conditions were so bad in many prisons that prisoners were dying of starvation and diseases resulting from living in crowded and unhygienic conditions. The documentary “... showed how prison staff had converted cells to ‘hospital wards’ for the dying” and had built “... makeshift mortuaries ...within the prison grounds, where bodies of inmates ‘rotted on the floor with maggots moving all around’.” (BBC News, 1 April 2009) [3n] Commenting on the same documentary, a *Daily Mail* article, dated 2 April 2009, reported “Annah Moyo, a Zimbabwean lawyer who works with the Southern African Centre for Survivors of Torture said conditions in Zimbabwe prisons were ‘a form of torture.’ She said: ‘Everyone knows that if you’re sent to prison, your chances of coming out alive are slim.’” [94b] The BBC reported on 5 June 2009 that: “At one prison, Chikurubi, at least 700 of the 1,300 inmates died last year, Zimbabwe weekly *The Standard* reported in May.” However, the article also noted that the International Committee for Red Cross (ICRC) had “... begun distributing food and other supplies [including blankets and soap] to thousands of Zimbabwean Prison inmates.” The ICRC hoped to be able to feed 10,000 inmates by the end of the year. [3m]
- 13.06 *The Times* reported on 22 December 2008 that one prison warden at Bulawayo’s Khami Prison admitted that his salary was inadequate to support his family and that the only way that they could survive was by stealing food from the prisoners supplies “... or by trading favours for food brought in by [prisoners] families. ‘There’s no discipline ... We depend on the prisoners to stay alive.’” [82h]
- 13.07 Concerning children in prisons, the USSD 2008 report noted that:
- “Juveniles were not held separately from adults. The Prison Fellowship of Zimbabwe, a local Christian organization working with former inmates, estimated in 2006 that more than 200 children were living in the prison system with their detained mothers. A two-year-old child who was abducted with his mother from Zvimba South on October 31, and appeared in police custody on December 22, remained in prison with his mother at year’s end.” [2b] (Section 1c)

Aldo see [Death penalty](#) for more information

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## 14. DEATH PENALTY

- 14.01 Hands Off Cain (accessed 2 February 2009) noted that Zimbabwe retains the death penalty. The method of execution is hanging. A total of 244 people were sentenced to death by the country's High Court between 1980 and 2001, 76 of whom were executed. "Executions were suspended for several years due to lack of a public hangman, but resumed in October 2001 when a candidate was covertly appointed. The last executions were those of four prisoners convicted of murder hanged in June 2003 [see para 16.02 below]. No executions were registered in Zimbabwe in 2004 and in 2005. On December 18, 2008 Zimbabwe voted against the Resolution on a Moratorium on the Use of the Death Penalty at the UN General Assembly." [71a]
- 14.02 On the 8 August 2007, the Foreign and Commonwealth Office reported that the last execution to take place in the country was on 22 July 2005. Prior to that, there were two executions on 4 June 2004. There were a total of 45 prisoners sentenced to death with appeals outstanding. 12 prisoners were on death row, having exhausted all appeals including to the President for clemency. No dates for forthcoming executions was available, although it was noted that the state funded Herald newspaper publishes the details of those executed the day after an execution. [13]
- 14.03 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, noted that: "The right to appeal exists in all cases, and is automatic in cases in which the death penalty is imposed." [2b] (Section 1d)

Also see [Prison Conditions](#) above

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## 15. POLITICAL AFFILIATION

### FREEDOM OF POLITICAL EXPRESSION

- 15.01 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated:

“The constitution provides citizens with the right to change their government peacefully; however, this right was restricted in practice because the political process continued to be tilted heavily in favor of ZANU-PF, which has ruled continuously since independence in 1980... On March 29, the country held harmonized elections for the presidency, House of Assembly, Senate, and local government.

“As in previous elections in 2000, 2002, and 2005, the re-election period was not free and fair. The environment was characterized by some violence and a media environment that heavily favored Mugabe. Although Tsvangirai was allowed to campaign, the country police did not permit the MDC to hold all planned rallies, and some MDC activists were intimidated and beaten in the weeks before the election... The months leading up to the [Presidential] run-off election [held in June] were marred by widespread violence and intimidation perpetuated by the ZANU-PF government and its supporters.” [2b] (Section 3)

- 15.02 In a recent report published by the Solidarity Peace Trust, dated 30 June 2009, the organisation noted that:

“... democratic space in rural areas has noticeably widened, and we have observed that robust debates in relation to the new constitution are currently taking place in rural Matabeleland; meetings to discuss the constitution are drawing crowds numbering several hundred on a regular basis, and these public gatherings are taking place without harassment. Members of all political parties, chiefs and traditional leaders, war veterans, and in some cases senior government officials including District Administrators are attending these discussions, which are taking place frankly and without fear among those participating.” [65b] (p23)

- 15.03 During the year, the BBC reported that President Mugabe had made increasingly conciliatory comments about his MDC partners in government. On 10 March 2009 he is reported to have called on ZANU-PF and the MDC to put their differences behind them, stating that “Gone should be the days of violence”. [3q] On 18 April 2009 the BBC reported that President Mugabe again made conciliatory comments calling on the people of Zimbabwe to enter a period of “national healing”. He went on to state that “We need tolerance...irrespective of political or religious affiliation” [3s] However, the Africa Research Bulletin dated 1<sup>st</sup>-30<sup>th</sup> April 2009, noted that Mugabe’s actions often appeared to contradict his conciliatory language; this was demonstrated by political appointments and decisions that breached the terms of the Global Political Agreement. [76b] (17931)
- 15.04 The International Crisis Group (ICG) reported on 20 April 2009 that supporters of Emmerson Mnangagwa (a favourite to succeed Mugabe as ZANU-PF’s leader) are fully prepared to sabotage the new government.

“Some of the early tactics by which they seek to put Tsvangirai under pressure and make the government dysfunctional include the arrest of Roy Bennett, the MDC-T national treasurer and deputy agriculture minister-designate (who Mugabe reportedly is refusing to swear into the cabinet); continued incarceration of MDC activists; encouraging Mugabe’s unilateral appointment of permanent secretaries and reconfiguration of ministerial powers so as to favour ZANU-PF; renewed farm invasions; and stalemating talks on the future of Gono and Attorney General Tomana, and the appointment of provincial governors. Their wider strategy is to capitalise on the MDC’s inexperience in governing in order to defeat the reforms Tsvangirai intends to fast-track before elections.” [100a] (p5)

- 15.05 The International Crisis Group (ICG) also highlighted that there was a “real risk” that disgruntled elements within ZANU-PF, specifically within the military, were capable of staging a military coup within the country or of trying to engineer the assassination of Morgan Tsvangirai. The report went on to note that:

“Some old regime elements seek to cause the new government to fail, out of fear of prosecution, loss of power and its financial sinecures, hatred for Tsvangirai or the MDC or a genuine belief that they are the guardians of the country’s liberation. They are thus continuing to provoke and frustrate the MDC, as shown by such actions as continuing arrests and detention of MDC activists, refusal of police to carry out some government orders, efforts to drive out the last hundred white farmers by continued farm invasions and stalling on the appointment of provincial governors as well as reconfiguration of ministerial powers.” [100a]

- 15.06 A report by *The Zimbabwean*, dated 31 October 2009, [99b] and *The Times*, dated 26 October 2009, noted that a large number of observers believe that President Mugabe has lost control over elements of the security forces, which include many ZANU-PF hardliners. [82g]

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## FREEDOM OF ASSOCIATION AND ASSEMBLY

- 15.07 The USSD 2008 noted that:

“The constitution provides for freedom of assembly; however, the government restricted this right in practice. POSA [Public Order and Security Act] does not require permits for meetings or processions, but it requires that organizers notify the police of their intentions to hold a public gathering seven days in advance. Failure to do so results in criminal prosecution as well as civil liability. In January [2008] POSA was amended as a part of constitutional Amendment 18 to require police to go to a magistrate’s court and to state in an affidavit why a public gathering should not take place. Although many groups that conducted meetings did not seek permits, other groups informed the police of their planned events and were denied permission, or their requests went unanswered. Police insisted that their permission was required to hold public gatherings and sometimes approved requests; however, they disrupted many events whether or not they were notified.” [2b] (Section 2b)



15.08 The USSD 2008 report also noted that:

“Although the constitution and law provide for freedom of association, the government restricted this right in practice. Organizations generally were free of governmental interference only if the government viewed their activities as non-political. ZANU-PF supporters, sometimes with government support or acquiescence, intimidated and abused members of organizations perceived to be associated with the opposition. The government raided the offices and inquired into the activities of numerous NGOs and other organizations it believed opposed government policies.” [2b] (Section 2b)

15.09 Freedom House reported in ‘Freedom of Association Under Threat’, dated 21 November 2008, that:

“Freedom of assembly is severely restricted under the 2002 Public Order and Security Act (POSA). The act obliges organizers to give police seven days’ notice prior to any public meeting, and failure to do so can result in both criminal and civil charges. While the advance notice provisions do not explicitly require police permission, security forces routinely use POSA to declare meetings and demonstrations illegal, arrest and detain demonstrators, impose arbitrary curfews and bans, and obstruct public gatherings with roadblocks and riot police. Consequently, thousands of opposition activists (mostly from the MDC), members of civic organizations (particularly the National Constituent Assembly and Women of Zimbabwe Arise), and trade unionists have been arrested in the past five years.

“Security forces have killed several demonstrators and routinely beat protesters and detainees. A series of ZCTU-led demonstrations in 2006 led to the arrest of 500 people across the country, including almost the entire ZCTU leadership. A number of the union leaders, president Lovemore Matombo and secretary-general Wellington Chibhebhe among them, were severely beaten while in custody. In 2007, police violently dispersed a large prayer meeting organized by the Save Zimbabwe Campaign in Harare; the meeting occurred during a three-month ban on political gatherings. Over 50 people were arrested, and many were badly beaten on site or in police custody, including MDC leader Morgan Tsvangirai and National Constituent Assembly leader Lovemore Madhuku. One MDC leader, Gift Tandare, was shot dead. During the election period in 2008, the government blocked opposition rallies, repeatedly detained MDC leaders, and mounted a systematic campaign of violence in which dozens of activists were apparently killed and many more were beaten or driven into exile.” [96d]

15.10 The Solidarity Peace Trust report (dated 30 June 2009) noted that while most of Matabeleland remained relatively calm, “In Bulawayo itself, the state continues to show no tolerance for peaceful demonstrations, and in mid June assaulted and arrested several women from WOZA during a peaceful march. Student protests have also been brutally suppressed.” [65b] (p23)

Also see [Public Order and Security Act \(POSA\)](#) for more information of restrictions under the Act.



## OPPOSITION GROUPS AND POLITICAL ACTIVISTS

- 15.11 MDC-Tsvangirai and MDC-Mutambara, the two largest opposition parties in Zimbabwe, agreed to join a government of national unity with Robert Mugabe's ZANU-PF in February 2009. Although, part of the government, both formations of the MDC is opposed to many of ZANU-PF's policies and wishes to ultimately govern the country alone. (International Crisis Group, 20 April 2009) [100a] (p2)
- 15.12 There are a number of smaller political parties in Zimbabwe; however, none holds any seats in either of the legislative bodies. More information about these parties can be found at [Annex B – Political organisations](#).

### Political prisoners/politically motivated violence

- 15.13 The USSD 2008 observed:

"There were hundreds of reports of political detainees throughout the year, including opposition officials, their supporters, NGO workers, and civil society activists. Many were held for one or two days and released, others were held for weeks or months. During the year police severely beat and tortured numerous opposition, civil society, and student leaders while in detention.

"At year's end there were at least 18 political prisoners in police custody. All were abducted between October 31 and mid-December and were brought to jails in Harare on December 22 and 23 by the state security agents who abducted them. According to affidavits and testimony from victims, witnesses, and their families, they were abducted and later jailed because of their affiliations with the MDC or membership in a civil society organization. At least nine claimed they were tortured after their abduction. Despite court orders calling on the state to investigate the abductions and torture claims and to release the group, police refused to take action. At year's end an additional 14 persons abducted in the same manner remained unaccounted for, although civil society organizations believed they were also in state custody." [2b] (Section 1e)

- 15.14 There were varying reports on the numbers who were killed during the violence of 2008, Human Rights Watch reported 163 deaths [69c], Amnesty International stated the figure was closer to 180 [14b] while the US State Department reported 193 deaths and that the MDC claimed 200 others were missing, presumed dead. (USSD Country Report on Human Rights Practices 2008) [2b] (Section 1a) However, the BBC reported on 17 September 2008 that a western diplomat in Zimbabwe claimed that there was information to suggest that around 2,000 supporters/members of the MDC had been killed. [3z]
- 15.15 The last published monthly report documenting political violence by the Zimbabwe Human Rights NGO Forum (ZHRF) dated 24 August 2009 but covering events in June 2009, noted that levels of political violence increased slightly on the figures for May 2009 and recorded "... 125 [incidents] as compared to 99 in May." [35c] However, the number of human rights "... violations recorded in May [2009] was significantly lower than those in April [2009]... May recorded a total of 103 violations as compared to 204 in April. [35d] During the period of 1 January 2009 to 30 June 2009 the ZHRF recorded a total of 1,096 human rights violations. [35c] For the same period in 2008, at

the height of the election violence, there were 8,558 recorded human rights violations. [35e] The 2009 figures are also markedly lower than during the same period in 2007 when there were 5,307 recorded human rights violations. [35f]

However, the figures above should be considered alongside an announcement made by the ZHRF on 14 October 2009, when it stated that it had suspended production of the Monthly Political Violence Reports because new unrecorded cases of violence from 2008 were still being received.

[http://www.hrforumzim.com/frames/inside\\_frame\\_monthly.htm](http://www.hrforumzim.com/frames/inside_frame_monthly.htm)

- 15.16 SW Radio Africa reported on 20 November 2009 that the MDC claimed that it had "... unearthed evidence that meetings are being convened to revive terror squads to harass, intimidate and torture people to endorse the draft constitutional document, which leaves sweeping presidential powers largely intact." The report noted that with public hearings imminent, ZANU-PF was looking to deploy 'terror squads' to force acceptance of Mugabe's preferred Kariba Draft Constitution. The MDC claimed that it had evidence of meetings being called by ZANU-PF figures in all 10 provinces with the express intention of violently forcing a vote in favour of their preferred constitution. [53c]
- 15.17 There continued to be reports of politically motivated abductions; SW Radio Africa reported on 11 November 2009 that the Secretary General of the General Agriculture and Plantations Workers Union of Zimbabwe, Gertrude Hambira, claimed that state security agents had attempted to abduct her from her Harare home before the publication/screening of a damning report and documentary about the situation for farm workers was published. Ms Hambira claimed that she went into hiding until the publication of the report after three armed men broke into her home and threatened to shoot her husband and children. [53d]
- 15.18 On the 8 November 2009 Sokwanele reported that MDC activist, Peter Munyanyi, escaped from custody after being held for over six months. "Munyanyi is one of over 50 MDC supporters who were abducted ... by State security agents on false charges that they were being recruited by the MDC for military training in Botswana to topple the Zanu PF regime." [37d] SW Radio Africa reported on 16 November 2009 that Pascal Gwezere, the MDC's transport manager, remains behind bars at Chikurubi maximum security prison after being abducted in October. His lawyers claim that he is still being denied medical treatment after he was tortured in custody. [53i]

For details of the elections and politically motivated violence see [History, Recent Developments, Security forces, Politically Motivated Violence and Human rights institutions, organisation and activists](#)

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## Inter-party violence

- 15.19 Following the formation of the power sharing government in February 2009 there were increased reports of MDC supporters becoming emboldened by the new political situation and attempting to settle scores against ZANU-PF supporters. A number of reports detailed incidences of violence against ZANU-PF local leaders and supporters throughout most of Zimbabwe. IRIN reported on 23 February 2009 of running battles taking place between MDC and ZANU-PF supporters "... in the working-class suburb of Mbare, in the capital, Harare. ... Welshman Ncube, [MDC-M] chairperson of the Joint Monitoring and Implementation Committee ... told IRIN that numerous reports of 'revenge attacks' had been received from across the country. ... 'In many areas it would appear that supporters of the MDC, who were ill-treated by ZANU-PF members, are demanding and implementing their own form of justice'. ... In Mashonaland Central a senior ZANU-PF official was reportedly in a coma after being attacked by unidentified assailants." [10e] The Institute for War and Peace Reporting (IWPR) noted on 25 February that: "In parts of Mashonaland East and Manicaland provinces ... MDC supporters burned homes of known ZANU-PF supporters and officials, accusing them of murdering their relatives. ... 15 people were admitted to Mutoko District Hospital on February 18 after they were singled out by MDC supporters ... In Mashonaland Central province, hotbed of support for Mugabe and one of the areas that suffered the worst election-related violence, axe-wielding MDC supporters went on the rampage, kidnapping alleged members of ZANU-PF vigilante squads, taking them into the bush and thoroughly beating them." There were other reports of provincial ZANU-PF leaders being so badly beaten that they were in 'intensive care units'. However the IWPR did stress that the scope of the current violence did not bear "... comparison to the widespread state-sponsored violence ..." witnessed during 2008. [77i]
- 15.20 Other sources noted further examples of retributive violence against ZANU-PF supporters, as well as tit-for-tat violence against the MDC. *The Zimbabwe Times* reported on 27 February 2009 that a traditional village chief was beaten up for violence perpetrated during the presidential run-off in June 2008 in Gutu South, Masvingo. [32e] The *Harare Tribune* reported on 12 March 2009 that: "Two houses belonging to a member of the MDC were reportedly burnt down in Buhera. ... The houses were razed after the owner had gone to the funeral wake of Morgan Tsvangirai's wife." In retaliation, a group of MDC youths burned down three houses and destroyed other property belonging to ZANU-PF supporters. [33a]
- 15.21 A report by 'States in Transition Observatory' (SITO) noted in April 2009 "... that during April 2009 "Violent clashes broke out between ZANU-PF and MDC supporters at a youth summit, organised by the Ministry of Youth Development, Indigenisation and Empowerment. An estimated 100 youths attended the conference at the Rainbow Towers." [9a] (p6) SITO's May report noted that: "Traditional leaders have been approached for assistance in Buhera as it is reported that MDC-T supporters are perpetrating acts of revenge against ZANU-PF assailants who victimised them prior to the run-off election in June last year." [9b] (p7) Radiovop reported on 28 May 2009 that Headman of Buhera stated that "... tension between ZANU-PF and MDC-T supporters in my area is increasing instead of going down ..." One ZANU-PF supporter was reported to have been seriously beaten causing some people to flee the town to "... skip potential punishment by MDC-T supporters." [28b]

- 15.22 The Zimbabwe Human Rights NGO Forum, noted in its March 2009 (published 28 April 2009) report that: "As in the previous month, clashes between ZANU-PF and MDC supporters were reported in March; another indication that political polarisation is far from over. Members of both parties have been implicated in violent retributive attacks, reminiscent of the violence that occurred pre and post the 2008 harmonised elections." [35b] (p2) The April 2009 report, published on 2 June 2009, noted that: "Incidences of inter-party violence continue to be reported around the country." [35a] (p2) Further reports on inter party violence were reported in the June 2009 monthly update (dated 24 August 2009) [35h] (Overview)

See also [Human rights](#), [Teachers](#) and [Security forces](#)

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## TEACHERS

- 15.23 Africasia reported on 11 May 2008 that for at least 10 years, teachers have been the victims of violent attacks by ZANU-PF supporters, especially around election time, with many teachers accused of supporting the opposition MDC. Africasia claims that part of the reason for much of the violence directed against teachers arose following the formation of the Movement for Democratic Change, when it "... identified teachers as the perfect messengers for the party, not least because of their work with voter education programmes." [40b]
- 15.24 The Foreign and Commonwealth Office noted in its annual human rights report, published on 26 March 2009, that education was severely disrupted in 2008. "Teachers were specifically targeted in post-election violence and some schools were taken over as torture bases. The education system has not recovered. UNICEF reported that in October attendance rates for teachers stood at just 40 per cent." [13a] (Women's and children's rights) Amnesty International reported on 1 May 2009 that during 2008 the Progressive Teachers' Union of Zimbabwe "... recorded the deaths of seven teachers affiliated to the union and the harassment, intimidation and even torture of more than 60 other members. ... None of the reported incidents of torture and ill-treatment of teachers that occurred in 2008 has been investigated and no one has been brought to justice." Amnesty noted that: "Despite the creation of a power-sharing government in February 2009, teachers in Zimbabwe continue to be victims of harassment and intimidation." [14a]
- 15.25 *The Zimbabwe Standard* reported on 10 May 2008 that teachers in ZANU-PF's strongholds of Mashonaland East, Central and West and Manicaland provinces had born the brunt of violence directed towards "traitors" suspected of supporting the opposition. The article noted examples of threats and violence against teachers, including teachers being made to publicly sing ZANU-PF songs "...and denounce [the] MDC as a puppet of the West. Another teacher, who has since fled to Harare, said the war veterans threatened to throw him in a tank filled with acid if he was seen in the area again because 'I was a bad influence to society'." There were also examples of teachers being humiliated and threatened in the presence of their pupils and villagers. The "...usually pro-Mugabe Zimbabwe teachers Association

(Zimta) has said it was concerned about the safety of its members” admitting that teachers were being harassed. [20b]

- 15.26 During the worst period of violence during the 2008 elections, *The Independent* reported on 1 May 2008, that two schoolteachers were beaten to death at a school in the north-western Guruve region (Mashonaland Central). [29a] “According to figures compiled by PTUZ [Progressive Teachers' Union of Zimbabwe] more than 133 teachers have been assaulted...” and “...67 teachers have been hospitalised...” (Zimbabwe Journalists, 2 June 2008) [143g]
- 15.27 IRIN reported on 10 February 2009 that after the elections, state-sponsored political violence prevented many teachers from returning to work. The “... consequence of salaries made worthless by hyperinflation ...” was also another reason for not returning to work. [10i] *The Times* reported on 8 October 2008 that: “Six teachers were murdered and thousands assaulted by ZANU (PF) militia in the violence that marred the second-round presidential election on June 27. Schools were looted and turned into torture centres. Teachers disappeared. Many are still unable to return for fear of being disciplined.” [82a]
- 15.28 The BBC reported on 18 February 2009 that Tendai Biti, Zimbabwe's new finance minister, announced that all 130,000 government employees, including teachers, would receive a US\$100 (£70) a month tax free allowance to help them to pay for essentials. [3ad]
- 15.29 Reliefweb reported on 19 March 2009 that following the formation of the power sharing government, both President Mugabe and Prime Minister Tsvangirai called for teachers to return to Zimbabwe to help rebuild the country. David Coltard, the MDC Minister of Education quickly announced the payment of salary allowances in foreign currency and relaxed conditions for re-joining the education sector. Mr Coltard announced that as a result of these changes there had been a “noticeable influx” of people seeking re-admission to the profession with ministry offices “... inundated with people seeking readmission” [22a]
- 15.30 In spite of some improvements resulting from the government of national unity, IRIN reported on 27 July 2009, that the secretary-general of the Progressive Teachers Union of Zimbabwe (PTUZ), Raymond Majongwe, stated that teachers across the country were again becoming increasingly “... apprehensive about the appointment of former soldiers in high-ranking posts at the ministry of education ...” Mr Majongwe stated that:
- “ZANU-PF youth militia had become part and parcel of everyday school activities. ‘The presence of youth militias in schools has been done through several strategies, with one of them being to demand offices from schools around the country, which are manned by what are called ‘youth coordinators’ without permission from the ministry of education,’ he said.
- “‘Some youths are instructing schools to appoint some school children as councillors. These councillors are supposed to inform the youth militia about any problems that develop at schools.’” [10g]

- 15.31 SW Radio Africa reported on 30 October 2009 that over 80 teachers fled their homes after violence erupted following the MDC's disengagement from the government of national unity. [53g] IRIN News reported on 27 October 2009 that the teachers have been told by ZANU-PF supporters that that they are allied to the MDC and "... that since their party, the MDC, had pulled out of the government, they were now considered enemies of ZANU-PF." The report noted that the number of teachers fleeing violence in Mashonaland Central province might be as high as 100. [10k]

See also [Latest news](#), [Recent Developments](#) and [Political affiliation](#)

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## 16. FREEDOM OF SPEECH AND MEDIA

### OVERVIEW

- 16.01 The Foreign and Commonwealth Office noted in its annual human rights report, published on 26 March 2009, that:

“Freedom of speech and the press remain severely constricted, with repressive legislation in place, which inhibits operation of the independent media. The state has detained many journalists and others who are accused of criticising Mugabe or making statements that are prejudicial to the state’. Coverage of Mugabe’s campaign dominated the broadcast and print media during the election period. The state media remains heavily biased in favour of the regime.” [13a] (**Freedom of expression and the media**)

- 16.02 The Freedom House report, Worst of the Worst 2009, Zimbabwe, released on 3 June 2009, observed that “Freedoms of expression and the press are severely restricted. Journalists are required to register with the state and are routinely subjected to intimidation, physical attacks, arrest and detention, and financial pressure. In 2008, scores of local and foreign journalists were beaten or detained, both before and after the elections.” [96e]

- 16.03 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, noted that:

“The constitution provides for freedom of speech and of the press, but legislation limits these freedoms in the ‘interest of defense, public safety, public order, state economic interests, public morality, and public health.’ The government restricted these rights in practice. Journalists and publishers practiced self-censorship.

“The government continued to restrict freedom of speech, particularly by those making or publicizing comments critical of President Mugabe. Passage of the 2007 ICA increased the government’s ability to monitor speech and to punish those who criticized the government.” [2b] (**Section 2a**)

- 16.04 The Economist Intelligence Unit reported in its September 2009 Country Report that the unity government appeared “... to be making progress in some areas, notably the liberalisation of the media.” [24b] (p4) However, the BBC reported on 8 October 2009, that the situation for the media had not changed significantly. While the BBC was able to broadcast from Zimbabwe in October, it expressed concern about how free the media landscape actually was after eight months of a government of national unity. The situation for printed media remained in limbo because new publishers and journalists cannot officially work until licenses have been granted. The body that licences new publications was disbanded shortly after the formation of the unity government in February, and the replacement body has not been agreed by President Mugabe, even though parliament presented him with a short-list of new appointees two months earlier. In the mean time ZANU-PF made a range of unilateral appointments of military and CIO chiefs to the country’s existing printed media without consultation with its MDC partners in government. [3h]



- 16.05 Following the formation of the government of national unity initially there were some positive changes occurred such as the removal of the provocative *Herald* columnist Nathaniel Manheru (the pen name for Mugabe's press secretary George Charamba). However, Manheru soon returned to the publication shortly after ZANU-PF figures complained of infringement of free expression. Manheru has since gone on to use the column to "denigrate" Prime Minister Tsvangirai. (Sokwanele, 4 August 2009) [37c]
- 16.06 The Economist Intelligence Unit noted that: "Zimbabwe's press is dominated by Zimbabwe Newspapers, in which the state has a controlling interest and the newspapers are, as a result, little more than mouthpieces for the government. (Economist Intelligence Unit – Zimbabwe Country Profile, May 2008) [24n] (p6)
- 16.07 However the Institute for the Democratic Alternative for South Africa's group, States in Transition Observatory (SITO) report, 'Zimbabwe Government of National Unity Watch, August 2009', noted that:
- "The Prime Minister's [Morgan Tsvangirai] Newsletter which is produced weekly continues to grow in popularity along with The Legal Monitor and The Conveyor which are all distributed in urban and rural areas free of charge. Subjects covered in these publications range from local government, parliamentary affairs, state of the GNU and activities of the MDC as they are never mentioned in state media. Regular newspapers run an average of 15,000 copies while the Prime Minister's Newsletter around 60,000." [9e] (p13)
- See [Treatment of journalists](#) below
- 16.08 The USSD 2008 also noted:
- "Under authority of the Official Secrets Act, Public Order, and Security Act (POSA), or the Criminal Law Act, the government arrested individuals for criticizing President Mugabe in public.
- "There were credible reports that CIO agents and informers routinely monitored political and other meetings. Persons deemed critical of the government were frequently targeted for harassment, abduction, and torture." [2b] (Section 2a)
- 16.09 The *Mail and Guardian* reported on 13 November 2006, that: "The Zimbabwe government has directed the country's largest journalism training school to accept only students who have completed a controversial national youth service training programme - blamed by critics for brainwashing youths into zealots of President Robert Mugabe's ruling Zanu-PF party." The report noted the views of some observers who stated that the government's new directive was "...an open attempt by Mugabe's government to ensure the college that trains the bulk of journalists in the country produces pliable and uncritical journalists." [6d]

- 16.10 The Committee to Protect Journalists reported on 10 February 2009 that following pressure from the Southern Africa Development Community, the Government "... agreed to amend the Access to Information and Protection of Privacy Act, a repressive accreditation law that effectively enabled the government to determine who could and could not report the news." The report continued:

"The amendments, passed by parliament [in January 2008], ostensibly allowed Zimbabwean reporters to work without accreditation and eased entry into the country for international journalists. But the government largely ignored the changes, barring most foreign journalists from entering the country for the election and continuing to enforce the obsolete accreditation provisions. In the run-up to the balloting, the Zimbabwe Electoral Commission denied entry to international media such as the BBC, CNN, Sky News, and South Africa's e.tv. In at least 19 cases documented by CPJ, police used outdated sections of the accreditation law to harass, obstruct, or detain journalists." [30b]

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### Public order and security act (POSA)

- 16.11 The USSD 2008 noted that:

"In February 2006 the government passed the General Laws Amendment Act (GLAA), which amended sections of POSA to allow authorities to monitor and censor 'the publication of false statements that will engender feelings of hostility towards – or cause hatred, contempt or ridicule of – the president or acting president.' The GLAA recommends a prison term for any journalist who "insults the president or communicates falsehoods." [2b] (Section 2a)

- 16.12 The USSD 2008 also noted: "The criminal code makes it an offense to publish or communicate false statements prejudicial to the state. Legal experts have criticized this section saying that it imposes limits on freedom of expression beyond those permitted by the constitution." [2b] (Section 2a)

- 16.13 The USSD 2008 continued:

"There were credible reports that the permanent secretary minister of information, George Charamba, routinely reviewed state-owned media news and excised reports on the activities of groups opposed to or critical of the government. ...

"POSA and the criminal code grant the government a wide range of legal powers to prosecute persons for political and security crimes that are not clearly defined. The July 2006 enactment of the amended criminal code consolidated a variety of criminal offenses, including crimes against public order, reportedly to amend progressive portions of POSA. However, the Institute for Justice and Reconciliation and the Solidarity Peace Trust reported that almost all the offenses in POSA were transferred to the criminal code, in some cases with drastic increases in the penalties. For example, making a false statement prejudicial to the state now carries a maximum prison sentence of 20 years in prison. Failure to give police the requisite advance

written notice of a meeting or demonstration remains an offense under POSA.”  
[2b] (Section 2a)

- 16.14 The Human Rights Watch report *False Dawn*, dated 31 August 2009, noted that:

“Pro-ZANU-PF elements in the new government continue to use repressive legislation enacted when they were the sole party in power. The police invoke laws like the Public Order and Security Act (POSA) to violate people’s basic rights. ZANU-PF officials in the police, the prosecuting authority, the Attorney General’s office and on the bench continue to abuse various provisions of these draconian laws to violate Zimbabweans’ rights to liberty, peaceful assembly, association, and free expression.” [69f] (p13)

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## NEWSPAPERS AND JOURNALS

- 16.15 The BBC News country profile of Zimbabwe, updated on 9 April 2009, stated that:

“The press is dominated by two pro-government dailies, the Harare-based Herald and the Bulawayo-based Chronicle, both tightly controlled by the Information Ministry.

“Private publications, which are relatively vigorous in their criticism of the government, have come under severe pressure. A leading private daily, the Daily News, was banned after a legal battle.

“The remaining independent press is largely confined to two weeklies, the Standard and the Zimbabwe Independent. Another weekly, The Zimbabwean, is produced in London and distributed in Zimbabwe as an international publication.

“Because of rampant inflation, cover prices have spiralled and are beyond the reach of many Zimbabweans. Publishers have been hit by escalating printing and newsprint costs.” [59c]

- 16.16 The Institute for the Democratic Alternative for South Africa’s group, States in Transition Observatory, noted in a report, Zimbabwe Government of National Unity Watch April 2009, noted a few positive developments concerning the appointments of respected journalists to a number of existing and news publications in Zimbabwe.

“The Herald newspaper is said to be appointing a well respected, veteran journalist William ‘Bill’ Saidi as editor in chief. NewsDay newspapers have appointed veteran journalist Barnabas Thondlana as editor of the newly formed daily publication which is expected to launch in the next few months. Thondlana will lead the third and newest publication in the Zimind group. Moses Mudzwiti is the Managing Editor. Dumisani Muleya, who has been Assistant Editor for The Zimbabwe Independent, becomes the Group Political and Investigative Editor, while Constantine Munyaradzi Chimakure is the

News Editor. Chimakure held the same position on The Zimbabwe Independent.” [9a] (p6)

- 16.17 Reporters Without Borders (RWB), 2008 Annual Report, noted that: “A handful of privately-owned publications do still appear, but under tight surveillance, forced to come to terms with the presidential party. ... The management of the few remaining private titles to still appear are under heavy pressure to adopt the political line of the ruling party and to prevent the more critical journalists from working.” In spite of some favourable rulings by Zimbabwean courts, the government continued to block media companies from setting up independent operations. [44g]

- 16.18 The USSD 2008 report stated that:

“There were two main independent domestic weekly newspapers, the Zimbabwe Independent and the Standard, and a semi-independent weekly paper, the Financial Gazette, all three of which continued to operate despite threats and pressure from the government. Another independent weekly paper, The Zimbabwean, was published in South Africa for the Zimbabwe market. The independent newspapers continued to criticize the government and ruling party; however, they also continued to exercise some self-censorship due to government intimidation and the continuing prospect of prosecution under criminal libel and security laws.” [2b] (Section 2a)

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## TELEVISION AND RADIO

- 16.19 The BBC News country profile of Zimbabwe, updated on 9 April 2009, stated that:

“State-run Zimbabwe Broadcasting Corporation (ZBC) operates the country's only TV and radio stations. ZBC formerly had two TV channels; its second network was leased to private station Joy TV which closed in 2002. Some of its programmes were said to have ruffled government feathers.

“Radio is the main source of information for many Zimbabweans. Although there are no private stations, the country is targeted by overseas-based operations.

“The Voice of the People, set up by former ZBC staff with funding from the Soros Foundation and a Dutch organisation, operates using a leased shortwave transmitter in Madagascar.

“Another station, the UK-based SW Radio Africa, aims to give listeners in Zimbabwe ‘unbiased information’.

“From the US, the government-funded Voice of America (VOA) operates Studio 7, a twice-daily service for listeners in Zimbabwe which aims to be a source of ‘objective and balanced news’.

“Radio broadcasts by foreign stations deemed hostile to the government have been jammed.” [59c]

16.20 The USSD 2008 reported that:

“Radio remained the principal medium of public communication, particularly for the rural majority. The government controlled all domestic radio broadcasting stations through the state-owned Zimbabwe Broadcasting Holdings, supervised by the Ministry for Information and Publicity.

“The popularity of independent short-wave and medium-wave radio broadcasts to the country continued to grow, despite government jamming of news broadcasts by radio stations based in other countries, including Voice of America and SW Radio Africa.” [2b] (Section 2a)

16.21 The source went on to note that:

“The government controlled the only domestically based television broadcasting station, the Zimbabwean Broadcasting Corporation (ZBC). The NGO Media Monitoring Project of Zimbabwe analyzed the distribution of air time on ZBC before the elections. It found that between March 1 and March 28 [2008], ZBC devoted more than 90 percent of its news bulletins to positive coverage of ZANU-PF. For the March and June elections, ZBC provided over 200 hours of ZANU-PF coverage, and just over 16 of the MDC. Most of the MDC coverage was negative.” [2im] (Section 2a)

## THE INTERNET

16.22 The USSD 2008 report noted that: “There were no government restrictions on the Internet; however, the [Interception of Communications Act] ICA permits the government to monitor all communications in the country, including Internet transmissions. Internet access was available but due to a lack of infrastructure was not widely accessed by the public beyond commercial centers.” [2b] (Section 2a)

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## TREATMENT OF JOURNALISTS

16.23 Freedom House noted in *Freedom in the World 2009 – Zimbabwe*, covering events in 2008, published on 16 July 2009, that:

“The country's draconian legal framework ... mandate harsh penalties – including long prison sentences – for violators. ... Journalists are routinely subjected to verbal intimidation, physical attacks, arrest and detention, and financial pressure by the police and supporters of the ruling party. In 2008, scores of local and foreign journalists were beaten or detained both before and after the elections. Foreign journalists are rarely granted visas, and local correspondents for foreign publications have been refused accreditation or threatened with lawsuits and deportation.” [96a]

16.24 The Institute for the Democratic Alternative for South Africa's group, States in Transition Observatory, noted in a report, *Zimbabwe Government of National Unity Watch April 2009* (SITO report), that The Media and Information Commission was closed in January 2009, which suggested that journalists no

- longer required accreditation, but ZANU-PF officials continue to insist "... that accreditation is still required ..." [9a] (p6)
- 16.25 New Zimbabwe reported on 18 May 2009 that President Mugabe's press secretary, George Charamba, had announced that "... the British Broadcasting Corp [BBC] and Cable News Network [CNN] that their journalists are welcome in the country ..." [41a] The BBC reported on 29 July 2009 that it was now able to report legally from the country after its first authorised assignment since 2001. [3k]
- 16.26 A government minister admitted that laws were still being used to "criminalise journalism" after two journalists were arrested in early May. (IRIN, 12 May 2009) [10f] Journalists are often subject to police brutality and judicial abuses. (Reporters without Borders, 14 May 2009) [44a]
- 16.27 Human Rights Watch reported on 31 August 2009 that "... the police ... continue to harass members of the media and to improperly limit the right to free expression. The report notes a number of cases where police have arrested and charged journalists on less than solid grounds. [69f] (p9) Reporters Without Borders reported on 22 October 2009 that "... two journalists working for Arab satellite TV station al-Jazeera" were reported to have been "... physically assaulted and then held for three hours ..." by CIO operatives after they attempted to "... cover a cabinet meeting from which Prime Minister Morgan Tsvangirai had pulled out." The arrest of the al-Jazeera journalists came "... a week after an independent photo-journalist, Anne Mpalume, was arrested in Manicaland in the east of the country where she was reporting on illegal diamond mining. The authorities accused her of not having permission." [44b]
- 16.28 The Committee to Protect Journalists, reported on 10 February 2009 that journalists routinely faced verbal intimidation, harassment and arrest and detention under often obsolete laws. Cases were reported where the police arbitrarily arrested and detained journalists for the "despicable ... crime of committing journalism". The same source added "In July [2008], Associated Press photographer Tsvangirai Mukwazhi was severely beaten by police at his home in Harare and temporarily detained at the Southerton Police Station, journalists told CPJ. Police accused the photographer of 'bringing the country into disrepute,' but did not lodge charges against him." Even journalists employed by state owned media companies were targeted where they were considered to have not been supportive enough to the ruling party and its candidates. The report noted that Henry Muradzikwa, chief executive of the state Zimbabwe Broadcasting Corporation (ZBC), was fired and seven employees were suspended for these reasons. [30b]
- 16.29 The Zimbabwe Human Rights NGO Forum, noted in its March 2009 (published 28 April 2009) report that: "Journalists have not been spared the wrath of the security forces as they continue to be harassed, arrested and prevented from doing their work." The report documented the cases of three journalists arrested and detained for covering various marches and protests. [35h] (Overview)



For updates and further details of problems faced by journalists see the websites of [Committee to Protect Journalists](#) and [Reporters without Frontiers](#).

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## 17. HUMAN RIGHTS INSTITUTIONS, ORGANISATIONS AND ACTIVISTS

This section should be read in conjunction with [Political affiliation](#) and [Freedom of speech](#).

- 17.01 Jane's Sentinel Country Risk Assessment (Zimbabwe), section in Internal affairs, updated on 10 September 2009, reported that:

"Between the Matabeleland massacres of the mid-1980s and the onset of the current crisis in the late 1990s, Zimbabwe developed an active civil society looking to protect rights and liberties, in urban areas at least. The principal human rights organisations working in Zimbabwe are the Catholic Commission for Justice and Peace in Zimbabwe (CCJP), Zimbabwe Human Rights Association (ZimRights), Zimbabwe Lawyers for Human Rights and the Legal Resources Foundation (LRF)." [90b] (Internal affairs)

- 17.02 However, from around 2000, the government attempted to suppress areas of civil society perceived to be critical of the ZANU-PF. From this point on human rights institutions, organisations and activists found it increasingly difficult to operate without fear of intervention and intimidation. (Jane's Sentinel Country Risk Assessment, 10 September 2009) [90b] (Internal affairs)

- 17.03 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, noted that:

"A number of domestic and international human rights groups operated in the country, investigating and publishing their findings on human rights cases; however, they were subject to government restrictions, interference, monitoring, and harassment. Domestic NGOs worked on human rights and democracy issues, including lobbying for revision of POSA and AIPPA; election observation; constitutional and electoral reform; increasing poor women's access to the courts; raising awareness of the abuse of children; conducting civic education; preserving the independence of the judiciary; and combating torture, arbitrary detention, and restrictions on freedom of the press and assembly. Major domestic independent human rights organizations included the Crisis in Zimbabwe Coalition, Zimbabwe Human Rights NGO Forum, ZESN [Zimbabwe Election Support Network], ZLHR [Lawyers for Human Rights], ZPP [Zimbabwe Peace Project], NCA [National Constitutional Assembly], SST [Students Solidarity Trust], and WOZA [Women of Zimbabwe Arise]." [2b] (Section 4)

- 17.04 The USSD 2008 report stated that:

"The government continued to use the state-controlled media to disparage and attack human rights groups. Articles typically dismissed the efforts and recommendations of NGOs that were considered critical of the government as efforts by groups that merely did the bidding of 'Western governments.'

“During the year police arrested or detained NGO members, often in connection with demonstrations or marches; many were beaten during arrest and tortured while in custody. Some NGO members died in post-election violence.

“The government harassed some NGOs it believed opposed government policies with raids on their offices and investigations into their activities. ...

“The government increased its harassment and intimidation of human rights lawyers during the year. Police often threatened, and in some cases assaulted, lawyers when they attempted to gain access to their clients in police custody.” [2b] (Section 4)

- 17.05 The Human Rights Watch - *World Report 2009* (Zimbabwe), covering events in 2008, dated 14 January 2009, noted that:

“The violence in the aftermath of the general elections [in 2008] created an even more challenging environment for human rights defenders. Many NGOs are perceived by the government of Zimbabwe as being aligned to the MDC [Movement for Democratic Change]. In the capital Harare, the government clampdown forced several NGOs to shut down. In the months after March elections, police raided the offices of NGOs such as the Crisis in Zimbabwe Coalition and the Zimbabwe Election Support Network (ZESN). ZANU-PF supporters attacked hundreds of ZESN election observers, forcing many to flee their homes. Human rights defenders were intimidated and threatened by police and security agents, who in May and June arrested a number of activists, including a prominent human rights lawyer and 13 members of the NGO Women of Zimbabwe Arise.” [69c]

- 17.06 Freedom House’s report, *Freedom in the World 2009*, published on 16 July 2009, noted that the government has used its wide ranging powers [96a] and the threat of these powers (FCO, 8 August 2007) [13i], to manipulate, harass and prevent the free operation of non-governmental organisations. “... NGOs have faced increasing legal restrictions and extralegal harassment.” [96a] (p6)

- 17.07 With the formation of the government of national unity there was hope in many quarters that the situation for civil society and human rights defenders would improve. However, as Human Rights Watch reported on 31 August 2009, many of these hopes were unfulfilled. The report noted that:

“There is mounting evidence that the new government is failing or unwilling to ... restore the rule of law, institute fundamental rights reforms ... ZANU-PF members and supporters continue to intimidate, harass, and arbitrarily arrest ... [those] perceived to be critical of ZANU-PF. ZANU-PF has also used its partisan control of the judicial system to jail human rights defenders and harass members of the media, all in direct contravention of the power-sharing agreement.” [69f] (p1-3)

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## ABDUCTIONS OF HUMAN RIGHTS ACTIVISTS

- 17.08 A number of sources reported the abduction of about 40 MDC activists at the end of 2008. The HRW *World Report 2009* stated that since October 2008 "... more than 40 MDC members and human rights activists" were abducted and held illegally. [69c] The HRW report, *Crisis without Limits: Human Rights and Humanitarian Consequences of Political Repression in Zimbabwe*, 22 January 2009, observed that the abductions had begun earlier, stating that the first had taken place in November 2008. [69g] (p3) The Institute for the Democratic Alternative for South Africa's group, States in Transition Observatory, noted in a report, *Zimbabwe Government of National Unity Watch (SITO Report)* of May 2009 (SITO report) that the first of the abductees was taken on 29 October 2008 and remained unaccounted for. [9b] (8) The Economist Intelligence Unit noted in its *Zimbabwe Country Report*, dated January 2009, that: "Throughout December [2008] at least 31 opposition Movement for Democratic Change (MDC) supporters, journalists and civic activists were abducted and reported missing for several weeks." [24o] (p10) On the reasons for the abductions, the HRW report of 22 January 2009 stated that it believed the abductions were "... politically motivated. The Zimbabwean authorities appear to be using these cases [32 individuals] as a pretext to clamp down on the MDC and prevent human rights activists from reporting on human rights abuses." [69g] (24-26) *The Times* noted on 11 February 2009 that: "Zanu (PF) looks determined to fight the MDC. Yesterday it arrested two lawyers, Rose Hanzi and Tawanda Zhuwarara, both members of the Zimbabwe Lawyers for Human Rights group who had been helping 30 opposition activists abducted and imprisoned three months ago." [82k]
- 17.09 Amnesty International's Report 2009 (AI report 2009) – Zimbabwe, published on 28 May 2009, noted that during 2008:
- "Prominent human rights defenders, political activists and their family members were abducted by groups of armed men believed to be working on behalf of or with the acquiescence of the Zimbabwean authorities. The abductions were conducted in broad daylight with total impunity.
- "Most of the missing people were found at various police stations in Harare on or around 23 December 2008 after they were reportedly handed over to the police by the men who abducted them, who were members of the security forces. The abducted men and women were then held in police detention. None of the abductors were arrested by the police." [14b] (p361)
- 17.10 Various reports noted the release of most abductees during the course of 2009; however, a report by the SITO May 2009 report noted that there were serious concerns over the safety of seven political activists and human rights defenders, who were reported to have been abducted between 29 October and 15 December 2008, but who were still unaccounted for, "... raising fears that they may have been murdered." The report noted the names of the missing abductees and the dates they were reported to have been abducted:

Gwenzi Kahiya	October 29
Ephraim Mabeka	December 10
Lovemore Machokoto	December 10
Charles Muza	December 10
Edmore Vangirayi	December 10

Graham Matewa  
Peter Munyanyi

December 17  
December 15 [9b] (8)

- 17.11 Human Rights Watch reported on 31 August 2009 that the seven unaccounted for political activists remained “missing without trace”. A further 15 political activists, who were abducted around the same time as the missing seven, remained in custody, but are fully accounted for after initially having disappeared for between two and eight weeks. [69f] (p7)
- 17.12 The Solidarity Peace Trust reported on 30 June 2009 that:
- “The continued harassment of the 15 activists, who were initially abducted last year and then spuriously charged with banditry, has continued to flag the difficulties that the MDCs face in influencing the security sector and returning the nation to the rule of law. It has taken months of behind the scenes discussions, and day after day of court appearances, re-detentions and legal battles, for these political detainees to all finally achieve bail. This was eventually accomplished on 15 May 2009, with the release of the last three detainees including Andrisson Manyere, the journalist. However, all continue to face charges and a long battle remains before this matter is resolved – yet in terms of the GPA, it is difficult to understand why this obviously politically engineered case cannot be speedily and impartially brought to a close through the courts.” [65b] (p19)
- 17.13 One of the most high profile abductions was that of Jestina Mukoko, national director of the Zimbabwe Peace Project. AI reported that Ms Mukoko was abducted on 3 December 2008 and “...was forcibly taken from her home in Norton, Harare.
- “She was seized by about 12 men in plain clothes – some armed with handguns – who identified themselves as members of the Law and Order section of the Zimbabwe Republic Police. Police denied that they had arrested Jestina Mukoko and her whereabouts remained unknown until 23 December when she was found in police custody. She was taken to court on 24 December, accused of recruiting people for military training in Botswana, a charge she denied. At the end of the year, Jestina Mukoko remained in custody. Amnesty International considered Jestina Mukoko to be a prisoner of conscience.” [14b] (p361)
- 17.14 The SITO report noted in May 2009, that: “Bail for Jestina Mukoko and 16 others was terminated under provisions of the Criminal Procedure and Evidence Act but a High Court application had previous bail conditions reinstated upon their release on the 6th. Their trials have been set for June and July. They are all facing charges of terrorism, insurgence, banditry and sabotage under the Criminal Law (Codification and Reform) Act.” [9b] (8)
- 17.15 The BBC reported on 28 September 2009 that terrorism charges against Jestina Mukoko, the most prominent of the abducted civil rights activists, was thrown out by the Zimbabwe Supreme Court. The court granted Ms Mukoko::
- “... a permanent stay of prosecution after she told how security agents took her from her home and beat her. ... Chief Justice Godfrey Chidyausika dismissed the case against Ms Mukoko and eight other defendants. He accepted the claims of Ms Mukoko’s lawyers that security agents ... [had]

violated the applicant's constitutional rights... entitling the applicant a permanent stay of criminal prosecution ...” [3g]

See also [Latest news](#), [Recent developments](#), [Political affiliation](#) and [Politically Motivated Violence](#).

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## WOMEN OF ZIMBABWE ARISE (WOZA)

- 17.16 Women of Zimbabwe Arise (WOZA) was founded by Jenni Williams in 2003 and is a well respected protest group that campaigns for equal rights for women in Zimbabwean society. (Kubatana.net, last updated: 27 June 2007) [55r] WOZA's website (accessed 12 June 2009) notes that WOZA is an Ndebele word meaning 'come forward'. The movement has a countrywide membership of over 70,000 women and men. The majority of WOZA members are low-income earners from urban high-density suburbs. [78a]
- 17.17 The WOZA website went on to note that its activities are:

“Based on the principles of strategic non-violence, through our actions, WOZA creates space to allow Zimbabweans to articulate issues they may be too fearful to raise alone. WOZA has conducted hundreds of protests since 2003 and over 3,000 women and men have spent time in police custody, many more than once and most for 48 hours or more. These frontline human rights defenders are willing to suffer beatings and unbearable conditions in prison cells to exercise their constitutional rights and fundamental freedoms.” [78a]
- 17.18 The Zimbabwe Human Rights NGO Forum (ZHRF) noted in its Political Violence Report – December 2008 that throughout 2008 WOZA activists continued to hold demonstrations against a range of issues such as the economy, access to health care and food aid. WOZA meetings and demonstrations were broken up by the police and were often met with violence. [35l]
- 17.19 The USSD 2008 noted that WOZA demonstrations were often broken up by the police with the use of disproportionate force, with many women being arrested and denied bail. [2b] (Section 1d, 2b & 2d) Human Rights Watch reported on 8 November 2008 that WOZA activists were “... invariably [held] under the Public Order and Security Act.” [69l] (p34)
- 17.20 Amnesty International's Annual Report 2009, Zimbabwe, covering events in 2008, released on 28 May 2009, stated that members of the women's activist organization Women of Zimbabwe Arise (WOZA) continued to be harassed by police and security forces during 2008. WOZA leader Jenni Williams and other senior leaders were arrested several times during the year with Jenni Williams being unlawfully held for 37 days on one occasion. [14b]
- 17.21 The Institute for the Democratic Alternative for South Africa's group, States in Transition Observatory, noted in a report, Zimbabwe Government of National Unity Watch May 2009 reported that: “WOZA held a demonstration with over 1,000 members on the 18<sup>th</sup> [May] to highlight the failures of GNU [Government of National Unity]. The demonstration appears to have taken place without

violent intervention from the police. [9b] (p3) However, subsequent protests have been broken-up by police with varying degrees of force. (WOZA - Site Archives for Protests, accessed 12 June 2009) [78b]

- 17.22 The States in Transition Observatory, noted in the report, Zimbabwe Government of National Unity Watch – October 2009 (dated 10 November 2009), that: “Jenni Williams and Magodonga Mahlangu of Women of Zimbabwe Arise (WOZA) had their trial date postponed for a day to the 16<sup>th</sup> as the clerk of the court who had their file was not available. The state verbally declared in June that the two had been unlawfully arrested on 16 October 2008, but to date no written confirmation of this has been forthcoming.” [9f] (p10)

The [Zimbabwe Human Rights NGO Forum website](#) provides a monthly political violence report that records incidents of harassment and violence against WOZA members. The [WOZA website](#) also provides regular reports of its activities.

See also [Latest news](#), [Recent developments](#), [Political affiliation](#), [Security forces](#) and [Women, Violence against women](#)

## NATIONAL CONSTITUTIONAL ASSEMBLY

- 17.23 Jane’s Sentinel Country Risk Assessment (Zimbabwe), section on internal affairs, updated 10 September 2009, stated that:

“The National Constitutional Assembly (NCA) is probably the country's largest grouping of civic groups and includes the ZCTU, church groups, human rights NGOs and the MDC. It was the Mugabe government's rejection of the NCA's constitutional proposals that led to the government's defeat in the February 2000 referendum. Since then, the NCA has continued to work on a new constitution for Zimbabwe.” [90b] (Internal affairs)

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## 18. FREEDOM OF RELIGION

- 18.01 The US State Department International Religious Freedom Report 2009, Zimbabwe, (USSD RFR 2009), covering events between 1 July 2008 and 30 June 2009, released on 26 October 2009 report observed:

“The country has an area of 150,760 square miles and an estimated population of nine million. Between 70 and 80 percent of the population is Christian, primarily Roman Catholic, Anglican, and Methodist; there are also a significant number of independent churches. While the country is overwhelmingly Christian, the majority of the population also believes, to varying degrees, in indigenous religions. Religious leaders reported a continued increase in adherence to indigenous religious practices.

“Muslims account for 1 percent of the population, primarily in rural areas where Muslim-led humanitarian efforts are often organized. The remainder of the population includes practitioners of Greek Orthodoxy, Judaism, and exclusively indigenous religions. There are also small numbers of Hindus, Buddhists, and Baha'is.

“While political elites tend to be associated with one of the established Christian churches, there is no correlation between membership in any religious group and political or ethnic affiliation.” [2a] (Section I)

- 18.02 The Freedom House report, *Freedom in the World 2009*, Zimbabwe, covering events in 2008, published on 16 July 2009, noted that:

“While freedom of religion has generally been respected, church attendance has become increasingly politicized, with church groups such as the Solidarity Peace Trust and the Zimbabwe Christian Alliance (ZCA) at the forefront of opposition to the Mugabe government. Other church groups, such as the Zimbabwe Council of Churches, are widely perceived as progovernment. In late 2007, the dominant Anglican church split when African Anglican officials sacked Bishop Nolbert Kunonga for resisting church pressure to criticize Mugabe; Sebastian Bakare was appointed to replace him. Anglican officials and followers of Bakare have accused Kunonga supporters – including state security forces – of attacking them and barring them from places of worship.” [96a] (p6)

- 18.03 The USSD RFR 2009 noted that while the Government continued to maintain good relations with most religious groups it “... harassed religious leaders who were critical of government policies, who spoke out against human rights abuses committed by the Government, and who provided humanitarian assistance to citizens during a nearly three-month ban on nongovernmental organizations (NGOs).” [2a] (Introduction) The same report also noted “There were continuing reports of tensions between indigenous religious groups and mainstream Christian churches.” [2a] (Section 1)

18.04 The report added that:

“The Public Order and Security Act of 2002 (POSA) restricts freedoms of assembly, expression, and association. Although not specifically aimed at religious activities, the Government invokes the act to interfere with religious and civil society groups organizing public prayer rallies. While POSA exempts religious activities and events, influential persons in the Government view any public gathering that is critical of the Zimbabwe African National Union Patriotic Front (ZANU-PF) party as political even if the nature of the event is religious.” [2a] (Section 2)

18.05 Furthermore, the report stated that:

“The Government does not require religious groups to register; however, religious organizations that operate schools or medical facilities are required to register those specific institutions with the appropriate ministry regulating their activities. Religious institutions are allowed to apply for tax-exempt status and duty-free privileges with the Customs Department. These requests are generally granted.” [2a] (Section 2)

18.06 The USSD RFR 2009 also stated that:

“The country has a long history of Catholic, Anglican, and Methodist primary and secondary schools. The Government does not regulate religious education in private schools but does play a role in approving employment of headmasters and teachers. Since independence, there has been a proliferation of evangelical basic education schools. Christian schools, the majority of which are Catholic, constitute one-third of all schools. Islamic, Hindu, and Jewish primary and secondary schools are also in major urban areas such as Harare and Bulawayo.” [2a] (Section 2)

18.07 The Afrol Gender Profile – Zimbabwe (accessed on 10 June 2009) noted that “Indigenous African churches that combine elements of established Christian beliefs with some beliefs based on traditional African culture and religion generally accept and promote polygyny and the marriage of girls at young ages; they also generally approve of healing only through prayer and oppose science-based medicine including the vaccination of children.” [73a]

18.08 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, noted that:

“The constitution and law provide for freedom of religion, and the government generally respected this right in practice. The government and the religious communities historically have had good relations; however, the government continued to criticize and harass religious leaders who spoke out against the government's human rights abuses. Church leaders and members who criticized the government faced arrest, detention, and, in the case of foreigners, possible deportation. Although not specifically aimed at religious activities, POSA and other laws continued to be used to interfere with religious and civil society groups organizing public prayer rallies.” [2b] (Section 2c)

18.09 The USSD IRF report observed:

“There were continuing reports of tensions between indigenous religious groups and mainstream Christian churches, particularly on issues of polygamy, modern medicine, and political exclusion. However, religious leaders from a wide spectrum of groups continued to discuss these matters productively in interfaith council meetings.” [2a] (Section 1)

## Witchcraft

18.10 The USSD IRF report noted that:

“A July 2006 amendment to the Witchcraft Suppression Act (WSA) criminalizes any practice "commonly associated with witchcraft," but only if that practice is intended to cause harm. Spoken words alone are not considered a witchcraft practice or evidence of illegal activity. The amendment also criminalizes witch hunts, imposes criminal penalties for falsely accusing others of witchcraft, and rejects killing of a witch as a defense for murder. Attacks on individuals in witchcraft-related cases appear to be prosecuted under laws for assault, murder, or other crimes. In practice, the Government did not detain or prosecute persons for allegedly practicing witchcraft.” [2a] (Section 2)

18.11 The USSD IRF 2007, covering events between 1 July 2006 and 30 June 2007, noted that: “Reports of possible ritual killings and mutilations continued to be cited by newspapers and women and children's rights groups throughout the reporting period. Police usually inquired into these killings; however, limited resources prevented police from conducting many investigations or identifying perpetrators.” [2c] (Section 3)

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## 19. ETHNIC GROUPS

- 19.01 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, noted that:

“According to government statistics, the Shona ethnic group makes up 82 percent of the population, Ndebele 14 percent, whites less than 1 percent, and other ethnic groups 3 percent. There was some tension between the white minority and other groups, between the Shona majority and the Ndebele minority, and among the various Shona subgroups...On March 9 [2008], Mugabe signed the Indigenization and Economic Empowerment Bill into law. The bill's official purpose was to increase participation of indigenous citizens in the economy with the ultimate objective of at least 51 percent indigenous ownership of all businesses. An indigenous Zimbabwean was defined as any person, or the descendant of such person, who before April 18, 1980 – the date of the country's independence – was disadvantaged by unfair discrimination on the grounds of his or her race. The bill was criticized as an attempt to create patronage for ZANU-PF.” [2b] (Section 5)

### SHONA

- 19.02 Jane's Sentinel Security Assessment – Zimbabwe, section on demography, updated 14 October 2008, noted that:

“The Shona are a group of culturally similar peoples living in the eastern half of Zimbabwe, north of the Lundi River. The number of Shona speakers is estimated at over nine million, or 75 per cent of the estimated total population in 2003. In addition, there are several million Shona speakers in Zambia and especially in central Mozambique. The main tribal/dialect groupings are the Karanga (Midlands and Masvingo; about 40 per cent), Zezeru (central Mashonaland; about 31 per cent), Manyika (Manicaland; about 10 per cent), Ndau (Manicaland and Masvingo; about seven per cent) and Korekore (northern Mashonaland; about six per cent). Most of the Ndau and Manyika sub-groups live in Mozambique. A smaller, more distinct group of Shona, the Kalanga (about three per cent), lives near Plumtree and the Botswana border and is divided from the main body by broad areas of Ndebele settlement. Elementary education, Christian missions and partial urbanisation have weakened traditional institutions but barely affected belief in magic and witchcraft. Personal and political relations are largely ruled by a kinship system governed by exogamous clans and localised patrilineages. Descent, succession and inheritance are largely patrilineal. Chiefdoms, wards and villages are administered by hereditary leaders.” [90k] (Demography)

### NDEBELE

- 19.03 Jane's Sentinel Security Assessment – Zimbabwe, section demography, updated 14 October 2008, noted that:

“The Ndebele of Zimbabwe, or Matabele, are a different group to the Ndebele of South Africa, and are closely related to the Zulu. The Zimbabwean Ndebele numbered about 2.5 million or 20 per cent of the estimated total population in 2003. A husband will allocate land and livestock to his wives; the eldest son of the first wife is the principal heir and inherits this property. They practise the

custom of the levirate, in which men inherit the wives and children of their deceased brother.” [90k] (Demography)

- 19.04 Freedom House’s report, *Freedom in the World 2009*, covering events in 2008, Zimbabwe, published on 16 July 2009, reported that: “The minority Ndebele ethnic group continues to suffer political and economic discrimination, and Ndebele areas are often targeted by security forces as opposition strongholds. Restrictive citizenship laws discriminate against Zimbabweans with origins in neighboring African countries.” [96a] (p7)

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## WHITES

- 19.05 The number of whites remaining in Zimbabwe is estimated to be between a few thousand (Economist Intelligence Unit – Zimbabwe Country Profile 2008) [24n] (p10) and 40,000 (Institute for War and Peace Reporting, 13 January 2009) [77g] having dropped from a peak of about 275,000 in the mid-1970s. [24n] (p10)
- 19.06 The historical injustice over the allocation of land in Zimbabwe gave Robert Mugabe a scapegoat with which to boost his popularity. “Until 2002 about 30% of agricultural land was ... white-owned ...” Farm invasions and confiscations have ensured that few farms are now in white ownership. (Economist Intelligence Unit: Zimbabwe Country Profile 2008) [24e] (p15)
- 19.07 The USSD 2008 reported that since the start of the decade, the “... ruling party [has] infringed on the right to due process, citizenship, and property ownership in ways that affected the white minority disproportionately.” The report continued:
- “Throughout the year government-controlled newspapers, radio, and television stations continued to selectively vilify citizens of European ancestry and to blame them for the country's problems. ... The government continued its attempts to attribute the country's economic and political problems to the white minority and Western countries. On some occasions, President Mugabe, members of his government, and the government-controlled media attempted to reignite resentment of the white minority. Ruling party supporters seldom were arrested or charged for infringing upon minority rights, especially those of the white commercial farmers targeted in the land redistribution program.” [2b] (Section 5)
- 19.08 The Institute for War and Peace Reporting noted on 13 January 2009 that:
- “Embattled Zimbabwe president Robert Mugabe is piling more pressure on the country's dwindling white community, with a campaign of intimidation and arrests.
- “Mugabe, who, of late, has been using warlike demagoguery to frighten critics, alleges that the opposition Movement for Democratic Change, MDC, is taking instructions from its ‘white masters’. He has repeated his mantra that the MDC will never rule ‘my Zimbabwe’, and says he will not surrender the country to white colonialists.

“Mugabe’s government has stepped up a propaganda campaign against ... whites ... [accusing them] of training hit squads to overthrow Mugabe and undermine the September 15 power-sharing deal.

“At the same time, the security forces are stepping up verbal and physical threats against whites, jailing some for allegedly fomenting unrest against the regime.” [77g]

See also [Land reform](#)

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## ASIANS

- 19.09 Jane’s Sentinel Security Assessment – Zimbabwe, section on demography, updated 14 October 2008, noted that there were around 15,000 Asians living in Zimbabwe. [90k] Although they were a smaller group than Zimbabwean Whites, *The Independent* reported on 10 April 2000 that, during the violence of the campaign for the June 2000 elections, there were reports that racial intimidation was spreading beyond the White-owned farms to include the Asian business community. Pamphlets were reportedly circulated in Bulawayo threatening Indians. [4a]
- 19.10 The Zimbabwe government has in the last few years pursued a ‘Look East’ policy, concentrating on building-up trade relations with India and China. *The Herald*, Zimbabwe’s main government owned (ZANU-PF supporting) newspaper, published an article on 25 March 2008 noting that the country could expect a rise in tourists from emerging economies in India and China. The report noted that Zimbabwe had a lot to offer Asians, specifically Indian tourists, as the country had “... a vibrant south Asian community ... a lot of local expertise, restaurants and even the temples and mosques that will allow a religiously-minded visitor to keep up their obligations of public worship.” [23a]

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## FARM WORKERS OF MALAWIAN, ZAMBIAN AND MOZAMBIKAN ORIGIN

- 19.11 The *Zimbabwe Independent* noted on 31 August 2001 that there were between 350,000 and 400,000 farm workers in Zimbabwe, including families numbered up to two million people. Most of these people were third generation Zimbabweans whose grandparents came to Zimbabwe from Mozambique, Malawi and Zambia during the colonial era. Many had “lost contact with their countries of origin” and had “lived on white-owned farms throughout their lives”. “War Veterans” targeted these farm workers in their campaign against White ownership of commercial farms. Hundreds of thousands of farm workers were reportedly displaced along with the White owners of commercial farms when squatters occupied the farms. [11c] IRIN News reported in February 2003 that the numbers of commercial farm workers who had been affected by the Government’s resettlement programme had increased to around one million. [10ae] The *Zimbabwe Independent* newspaper called it “ethnic cleansing”. [11c]



- 19.12 BBC News reported on 24 August 2005 that historically, many people from neighbouring countries such as Mozambique, Zambia and Nyasaland (colonial era name for Malawi) had migrated in the 1950s and 1960s, some seeking work on white-owned farms in the more developed Southern Rhodesia (Zimbabwe). For a variety of reasons, a number of these people left the farms where they had worked and moved to the larger towns and cities across Zimbabwe. However, as the BBC article explained:

“In the wake of the government’s crackdown on illegal buildings and unlicensed traders, Zimbabweans of foreign parentage are finding themselves in a particularly difficult situation.... While thousands of Zimbabweans who can trace their ancestry to a Zimbabwean rural village are being transported to the countryside, those whose parents or grandparents were immigrants are left in limbo. ‘To say every Zimbabwean has a rural home is not true,’ says Alouis Chaumba, head of the Catholic Commission for Justice and Peace in Zimbabwe. ‘Some are the grandchildren of people who came here during the Federation.’” [3b] (p1-3)

- 19.13 The USSD 2008 report noted that the Government amended the citizenship laws requiring “... all citizens with a claim to dual citizenship to have renounced their claim to foreign citizenship by January 2002 to retain their Zimbabwean citizenship.” The report continued:

“The act revokes the citizenship of persons who fail to return to the country in any five-year period. However, the High Court ruled in 2002 that this interpretation does not take into account the fact that a person is not automatically guaranteed foreign citizenship merely because their parents were born in a foreign country, as some countries require a person to confirm their citizenship, in which case they could be rendered stateless. It further held that it is incorrect to presume that when one has a parent or parents that are born out of the country they are citizens of the other country by descent. In addition, some countries, including in southern Africa, do not have a means to renounce citizenship. Independent groups estimate as many as two million citizens may have been disenfranchised by the law, including, those perceived to have opposition leanings, such as the more than 200,000 commercial farm workers from neighbouring countries, and approximately 30,000 mostly white dual nationals. The problem became particularly acute during voter registration in late 2007 and during the 2008 elections when some were denied the right to vote – despite having voted previously – because they could not adequately demonstrate their citizenship.” [2b] (Section 2d)

- 19.14 Kubatana.net in *Development Denied: Autocratic Militarism in Post-Election Zimbabwe*, dated 28 July 2005, reporting on non-Zimbabweans caught up in Operation Murambatsvina, noted that “Those without Zimbabwean ID were initially taken to fenced holding camps and stored like beasts. The razed suburb of Mbare had many Mozambican traders, Hatcliffe many of the 200,000 displaced Malawian ex-farm workers from the misnamed ‘Land Reform’ of previously white-owned farms.” [55g] (p3)

Also see [Internally Displaced People \(IDPs\)](#)

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## ALBINOS

- 19.15 IRIN reported on 16 February 2006 that: “Zimbabwe has around 14,000 people living with albinism...” [10b] SNNi.org (Smart News Network International) noted on 7 January 2006 that albinos in Zimbabwe face a great deal of social stigmatization. “Discrimination against albinos, especially women, is rampant in all sectors in Zimbabwe. ‘Most employers call you for an interview and when they see you they just tell you there is no job,’ says Brenda Savanhu, a qualified secretary. ‘They do not tell you the reason, but we know why they are doing it.’”
- 19.16 Many albinos have difficulties affording sun creams and sunglasses needed to protect their sensitive skins, rendering them more prone to skin cancers. The article noted a more worrying situation for albino women; that of men sleeping with them in the mistaken belief that sex with an albino woman will cure them of any sexually transmitted disease (STD). [62] Noting a rise in violence against albino women, ohmynews.com reported on 8 November 2005 that “In Zimbabwe, albinos are not only treated as lepers, there is a rise in the rape of albino women in the belief that if a HIV positive man sleeps with an albino woman, he is automatically cured.” [61] The USSD 2008 report noted that: “NGOs continued to lobby to include persons with albinism in the definition of ‘disabled’ under the law.” [2b] (Section 5)
- 19.17 IRIN reported on 16 February 2006 that: “About 65 percent of people with albinism in Zimbabwe are aged under 20. ‘Mortality is incredibly high – most of our people are aged between 33 to 50 years – very few people live beyond that, and it is sad because skin cancer is curable,’ commented John Makumbe [founder of the Zimbabwe Albino Association (ZIMAS)].” The IRIN article also noted that across southern Africa most people with albinism are regarded as “unnatural and even cursed” with discrimination in the workplace being common. [10b]
- 19.18 *The Zimbabwean*, in an article dated 27 May 2009, reported John Makumbe, chairman of ZIMAS, condemning the recent murder of albino people in east Africa where a belief that body parts such as “... genitals, limbs, breasts, fingers and tongue[s] can bring magic powers ...” Mr Makumbe went on to state that: “... although they haven’t received any cases of albino killings for ritual purposes in Zimbabwe, ZIMAS has received several reports of killing of albino babies at birth by parents and sexual abuse of albino women.

“‘In Zimbabwe we have received many cases of albino babies being killed by their parents who don’t like them. There is also sexual abuse of albino women by HIV positive men who believe that if you sleep with these women the virus will disappear,’ he said.” [99a]

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**OTHER ETHNIC MINORITIES**

- 19.19 The Lemba or Lembaa [also know in Zimbabwe as the Remba] are a small group of people in southern Africa who while speaking languages similar to their neighbours (the Shona/Ndebele), have specific religious practices similar to those in Judaism, and a tradition of being a migrant people with clues pointing to an origin in the Middle East or North Africa. [60] (**The Lemba**, p1-2) Afrol Gender Profile – Zimbabwe (accessed on 31 August 2006) noted that: “The Remba [or Lemba] ethnic group practice infibulation, the most extreme form of Female Genital Mutilation (FGM).” [73a] (p2)
- 19.20 The World Directory of Minorities (published 1997), noted that, the Shangaan, Venda and Tonga peoples make up about two per cent of the population. The Shangaan and Venda live mainly in the far south of Zimbabwe. In 1985–86 the Government introduced teaching in primary schools in these groups’ own languages. In 1995 the national radio station began broadcasting programmes in the three minority languages. [16] [27] (**Tribal map**)
- 19.21 Mulonga.net reported in an article dated 27 December 2005 that the Tonga form “...the third largest ethnic and language group after the Shona and Ndebele and the most marginalised in the country.” [40a] The World Directory of Minorities noted that the Tonga live in north-western Zimbabwe. In the 1950s about two-thirds of their population, some 57,000 people (in both Zimbabwe and Zambia) were moved from their ancestral lands to make way for the Kariba Dam. Tonga leaders claimed that central government investment and relief, including “cultural support such as primary school instruction in the Tonga language” was “inadequate”. [16] [27] (**Tribal map**) IRIN reported on 5 September 2007 that since the construction of the Kariba dam the Tonga suffer from some of the highest levels of unemployment and poverty in Zimbabwe. [10p]

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## 20. LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS

### LEGAL RIGHTS

- 20.01 The International Lesbian and Gay Association report, *State-sponsored Homophobia 2009*, released 13 May 2009, observed that sexual relations between men are illegal while, sexual relations between women are not specifically legislated against. The report set out the laws on sodomy, as found in the Criminal Law (Codification and Reform) Act, which was effective from July 2006:

“Section 73. Sodomy

“(1) Any male person who, with the consent of another male person, knowingly performs with that other person anal sexual intercourse, or any act involving physical contact other than anal sexual intercourse that would be regarded by a reasonable person to be an indecent act, shall be guilty of sodomy and liable to a fine up to or exceeding level fourteen or imprisonment for a period not exceeding one year or both.

“(2) Subject to subsection (3), both parties to the performance of an act referred to in subsection (1) may be charged with and convicted of sodomy.

“(3) For the avoidance of doubt it is declared that the competent charge against a male person who performs anal sexual intercourse with or commits an indecent act upon a young male person—

- “(a) who is below the age of twelve years, shall be aggravated indecent assault or indecent assault, as the case may be; or
- (b) who is of or above the age of twelve years but below the age of sixteen years and without the consent of such young male person, shall be aggravated indecent assault or indecent assault, as the case may be; or
- (c) who is of or above the age of twelve years but below the age of sixteen years and with the consent of such young male person, shall be performing an indecent act with a young person.” [81] (p46-47)

- 20.02 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, noted that:

“Although there was no statutory law proscribing homosexual practice, common law prevents homosexual men, and to a lesser extent, lesbians, from fully expressing their sexual orientation and, in some cases, criminalizes the display of affection between men. In 2006 the 2004 amended criminal code became effective, broadening the definition of sodomy to include ‘any act involving physical contact between males that would be regarded by a reasonable person to be an indecent act.’” [2b] (Section 5)

- 20.03 The *Gay Times website* (undated), accessed on 2 December 2008, noted that:

“Whilst here is no statutory legislation prohibiting homosexual activities in Zimbabwe, there are criminal offences under Common law which effectively make homosexuality illegal in Zimbabwe. Common Law prohibitions include

Sodomy defined as the 'unlawful and intentional sexual relations per annum between two human males' and Unnatural Offences defined as the unlawful and intentional commission of an unnatural sexual act by one person with another person. The meaning of 'Unnatural' involves a value judgement which can be interpreted how you will. These offences are particularly repressive. Zimbabwean law therefore criminalise sex and even the display of affection between men and criminalises unnatural sexual acts between two persons which in theory could be applied to two women though in practice never has. Although these outdated laws are not always applied, the threat of being caught still hangs over the gay and lesbian community in Zimbabwe. S[ection] 11 of The Censorship and Entertainments has also been used to harass gay people in Zimbabwe. This provides that no person shall import, print, publish, distribute, or keep for sale any publication which is undesirable. A publication is undesirable if it is 'indecent or obscene or is offensive or harmful to public morals or is likely to be contrary to public health.'" [80b]

- 20.04 The Institute for the Democratic Alternative for South Africa's group, States in Transition Observatory (SITO report), noted in a report, *Zimbabwe Government of National Unity Watch, August 2009*, dated on 7 September 2009,, that: "Human rights campaigners are fighting to have the rights of gay, lesbian and bisexual people protected in the new constitution, which would mean abolishing existing laws that make it a criminal offence for men to have sex with other men." [9e] (p13)
- 20.05 With regard to the status of Lesbians in Zimbabwe, the Gays and Lesbians of Zimbabwe (GALZ) website, undated, accessed on 2 December 2008, noted that: "The common law prohibiting consensual lesbian sexual acts had previously fallen into disuse and [t]his law has not been revived by the codification and modification of the criminal law." [42c]
- 20.06 The Gays and Lesbians of Zimbabwe (GALZ) website, accessed on 17 November 2008, noted that "The Zimbabwean constitution provides for freedom of association. There is nothing illegal about forming an association to cater for the needs and interests of LGBTI [Lesbian, Gay, Bisexual, Transgender and Intersex] people in Zimbabwe. Government would, therefore, have to resort to illegal means to close down GALZ." [42b]
- 20.07 No information was found regarding the treatment of transgendered persons in terms of legal rights as a separate group in Zimbabwe.

## TREATMENT BY, AND ATTITUDES OF, STATE AUTHORITIES

- 20.08 *The Gay Times* (accessed on 2 December 2008) noted that: "The last few years have seen attacks of extraordinary virulence on Zimbabwe's lesbian and gay community, led by Robert Mugabe." The Zimbabwean government has a history of homophobia extending back to at least 1995. [80b] Behind the Mask (accessed on 2 December 2008) noted that: The Zimbabwean president and government are extremely homophobic to the point of obsession. Mugabe has in the past said of gays: 'What an abomination, a rottenness of culture, real decadence of culture. [Homosexuals are] repugnant to my human conscience ... immoral and repulsive ... Lower than pigs and dogs ... Animals in the jungle are better than these people because at least they know that this is a man or a woman... I don't believe they have any rights at all.'" [92f] And the

USSD 2008 report observed that: “Over a period of years, Mugabe publicly denounced homosexuals, blaming them for Africa's ills.” [2b] (Section 5)

- 20.09 Similar language has been used by supporters of the government. Addressing an election rally in March 2008 at the ZANU-PF headquarters in Harare, Rev Obadiah Msindo informed crowds gathered for the rally that MDC leader, Morgan Tsvangirai, was homosexual. Using homophobic language intended to both ridicule and diminish the standing of the leader of the opposition, the Rev Msindo claimed that Morgan Tsvangirai was the “girlfriend” of both Tony Blair and Gordon Brown and was conducting a sexual relationship with them both. The pronouncements followed similar homophobic language used by President Mugabe against critics of his government. (Afrik.com News, 19 March 2008) [92e]

## SOCIETAL TREATMENT AND ATTITUDES

- 20.10 *The Independent* noted on the 21 November 2006 that “homosexuality”, which in Shona is called “ngochani”, had historically been widespread and accepted. Only since the colonial period has “homosexuality” become taboo in most African societies. [4c] (p1-2)

- 20.11 The Gays and Lesbians of Zimbabwe (GALZ) website, accessed on 17 November 2008, noted that:

“Zimbabwe is not the worst place in the world in which to be gay or lesbian even though the President, government officials and church leaders have whipped up a climate of hysterical homophobia. Nevertheless, there is growing tolerance of LGBT in Zimbabwe especially amongst younger people in urban areas who have grown up with the knowledge that gay and lesbian people exist within their midst.” [42b]

- 20.12 IRIN reported on 26 October 2006 that GALZ has a membership of around 6,000 men and women. The report went on to note that:

“Despite the pervasive homophobia in Zimbabwe, GALZ has seen its membership rise steadily, with about 400 new members joining each year.

“‘It is apparent that homosexuality exists throughout society, including rural areas,’ said Madzikure. ‘Even if Mugabe does not accept it, it [homosexuality] is there, and it will not go away. We have to accept that it exists, so that we can work together in addressing HIV/AIDS among the gay community.’

“Chairman of the Zimbabwe National Network for People Living with HIV (ZNPP+), Benjamin Mazhindu, called for legislation on homosexuality to be changed. ‘What we need to do is fight for a change of laws so that gays are given recognition. Without that, fighting AIDS among homosexuals will be futile.’” [10q] (p2-3)

- 20.13 Behind the Mask reported on 18 June 2007 that GALZ had opened a new Gay and Lesbian centre in Bulawayo. GALZ Director, Keith Goddard was reported to have said that the opening of the Bulawayo centre along with the introduction of “affinity groups” across Zimbabwe was a result of the significant growth of the organisation’s membership. Mr Goddard said that “We are definitely growing as more and more people are gaining courage and are



comfortable about their sexual orientation in Zimbabwe.” The Bulawayo centre is reported to want to focus on women’s needs. [92c]

- 20.14 An article posted on the Behind the Mask’s website dated 13 June 2008 noted “Although homosexual men (including transgender men) are spurned by society, they still maintain the privileges that automatically accrue to them as biological males.” The article went on to consider the situation for lesbians, as women, who “... suffer multiple forms of oppression, some of which relate to their sexuality but most of which relate to the general position of women in society.” (See following section.) [92g] No further information has been identified by COIS with regard to transgender persons.

## Lesbians

This section should be read in conjunction with [Women](#)

- 20.15 Behind The Mask, reported on 13 June 2008, that lesbian and bisexual women often face far more severe discrimination because of the traditional lower status of women in Zimbabwean society. The report noted that while gay men “... are spurned by society, they still maintain the privileges that automatically accrue to them as biological males.” These privileges include the right of free association, whereas “Women... are not at liberty to mix with whom they please and establish unsupervised relationships. This makes it more difficult for lesbian and bisexual women to meet with others like themselves whilst keeping their sexuality hidden from their families.” However, women who were economically independent (generally in the large towns and cities) were reported to be in a slightly better situation. [92g]

- 20.16 The same source also noted that: “In the rural areas lesbian and bisexual women ...” have little access to a support network.

“With no support network and no information, these women are far more likely to internalise their oppression and believe that they should conform to cultural norms of heterosexual marriage and the bearing of children. Although these women may outwardly concur with their position, they are still forced to accept a lifestyle, which runs entirely contrary to their emotional and psychological needs.

“Although spaces for lesbians and gay men remain limited, men are once again at an advantage. Whilst gay men are generally more accepting of lesbian and bisexual women as social equals and do not view women as sex objects, many still carry with them unconscious prejudices of heterosexual socialisation. ...[one] potential source of sanctuary for lesbian and bisexual women is the women’s movement but, in Zimbabwe, this is deeply divided by conflicting ideologies.” [92g]

- 20.17 The same source noted that the traditional and invented African traditions of many of these organisations further constrict a woman’s freedoms. In addition “The conservative wing of the women’s movement is... heavily influenced by fundamentalist Christian thinking which finds no room for the inclusion of lesbians... [lesbians] may even be perceived as a threat since many [women’s] organisations fear to associate with those unpopular both with government and the Christian church.” [92g]

## 20.18 The report continued

“A woman is not thought of as owning a sexuality independent of the needs of men and the idea of sexual expression not involving penetration is entirely alien to the machismo mentality. For these reasons and others related to the general invisibility of lesbian and bisexual women in public spaces, the majority of Zimbabweans believe that it is illogical for lesbians to exist in African cultures. Those who profess to be lesbian are simply not believed. Women who claim to be independent of men, even for sex, arouse intense anger in those men with deep-seated insecurities about sexual rejection and the need to control. In more traditionally conservative circles, homosexuality may be thought of in terms of illness brought on by demon possession. The cure for a man is exorcism but often the cure for a woman is ...” rape. (Behind The Mask, reported on 13 June 2008) [92g]

## 20.19 Because of the additional problems faced by lesbian and bisexual women in Zimbabwe, GALZ reported (accessed 9 October 2009) that in recent years, it has focussed more on making the association more accessible to women by setting up a specific ‘Gender Department’ to “... encourage lesbian and bisexual women to join the association and to ensure that women are free to become actively involved at all levels within GALZ and be included and visible in positions of leadership. ... The Gender Department organises an annual retreat where women are free to discuss issues away from the interference of men.” The website also noted that: “In August 2002, when GALZ hired its first Programme Manager for Gender, Fadzai Muparutsa, the association had only 8 women members out of a total of nearly 400. Within 4 months, women’s membership increased dramatically to around 60 and, to this day, it continues to increase.” [42i]

Additional information about sexual violence against lesbians, and HIV/AIDs can be found at [Women and Children](#)

**LGBT social scene**

## 20.20 GALZ described the gay and lesbian social scene in Zimbabwe as “vibrant” and “flourishing”. In supporting this view GALZ points to the annual Jacaranda Queen (Drag Queen) competition which has taken place in one form or another since the 1970s; the most recent incarnation of which began in 1995 at the height of government pronouncements against Lesbians and Gays. (GALZ, accessed 23 November 2007) [42d] Kubatana reported on 10 November 2007 that the 2007 Jacaranda Queen drag pageant was held at Harare’s Harry Margolis Hall. [55i] The GALZ website (accessed 9 October 2009) observed:

“General homophobia and restrictive legislation make it difficult for LGBTI people in Zimbabwe to feel safe about being open about their sexuality in public spaces and so the community is not yet ready to march onto the streets in numbers and celebrate Pride. ...

The traditional international Gay Pride month of June is generally observed in Zimbabwe by throwing a large party, but the home-grown ZimPride takes place in October in the week running up to the big event of the Zimbabwean gay and lesbian calendar, Miss Jacaranda Queen Drag Pageant, named after the exotic jacaranda tree which comes into vivid purple bloom around this

time... Traditionally, Jacaranda Queen is held in a public hall although this is becoming increasingly difficult because of acts of violence perpetrated by homophobes, and last-minute cancellations by nervous venue managers.”  
[42a]

- 20.21 International Gay guide, Spartacus, confirmed in its 2008 listing for Zimbabwe that there is “... an annual Pride celebration [no details but it is likely to be the Jacaranda Queen contest] in September/October each year.” In addition, the guide also noted that there were a couple of dance clubs where gay people could meet in the Borrowdale area of Harare. [26a] The 2009 edition of Spartacus confirmed that there were still two gay friendly nightclubs in the Borrowdale area of Harare. [26b] The GALZ website (accessed 23 September 2008) noted that another gay friendly venue was The Book Café in Harare. [42e] The BBC, in an article dated 7 August 2007, described ‘The Book Café’ as the “... epicentre of Harare’s alternative culture.” [31]
- 20.22 The GALZ website (accessed 9 October 2009) states that its main office and social centre is based in Harare – the address is: GALZ Centre, 35 Colenbrander Road, Milton Park, Harare. Membership of the association provides “... reductions on entrance charges to GALZ events ...” [42f] The events include “... parties, braais (barbeques), take place at the GALZ Centre or in gay-friendly venues. Members are also notified of events organised by others in the community.” [42g]
- 20.23 In addition to the above mentioned main office and social centre in Harare, GALZ also noted that “by the end of 2004, 9 Affinity Groups had registered with GALZ:
- “Bulawayo – Melga, Prime Times
  - Chipinge – Harmony
  - Chitungwiza – Rainbow
  - Marondera – Eastlove
  - Masvingo – Good Hope
  - Mutare – Eastern Networking
  - Penhalonga – The Edge
  - Victoria Falls – Mosi oya Tunya” [42h]

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## 21. DISABILITY

- 21.01 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, noted that:

“The constitution and law prohibit discrimination against persons with disabilities in employment, access to public places, and the provision of services; however, the lack of resources devoted to training and education severely hampered the ability of persons with disabilities to compete for scarce jobs. The law stipulates that government buildings be accessible to persons with disabilities, but implementation has been slow. ... Persons with disabilities faced harsh societal discrimination. Traditional belief viewed persons with disabilities as bewitched, and children with disabilities often were hidden when visitors arrived. In September [2008] the government announced it was reviewing the Disabled Persons Act, the Mental Health Act, and the constitution to align them with the Convention on the Rights of People with Disabilities; no further action was taken by year's end.” [2b] (Section 5)

- 21.02 The USSD 2008 continued:

“According to the National Association of Societies for the Care of the Handicapped (NASCOH), persons with disabilities continued to be a forgotten and invisible group in society. For example, although an estimated 10 percent of citizens had disabilities, the sector has largely been marginalized from HIV/AIDS intervention programs. Except for a short period in the 1990s, instructions on the use of condoms have never been distributed in Braille for the visually impaired, and no efforts were made to advertise condoms in sign language for the deaf. There was no HIV/AIDS information in Braille. The organization also reported that only 33 percent of children with disabilities had access to education.” [2b] (Section 5)

- 21.03 The USSD 2008 also noted:

“Operation Murambatsvina in 2005 severely affected persons with disabilities and, according to the UN special envoy's report on the operation, the government held approximately 50 persons with physical and mental disabilities without care at a transit camp separated from the rest of the camp population. The government broadcast a regular, prime-time program on state radio to promote awareness of the rights of persons with disabilities.” [2b] (Section 5)

- 21.04 The National Association of Societies for the Care of the Handicapped (NASCOH) noted in a disability update published on 20 February 2007 that over 1,200,000 people, around 10 per cent of the population of Zimbabwe were considered to be disabled in some way. The disabled population were reported to be among the poorest in society with over 70 per cent of people with disabilities without employment. Many in Zimbabwe still believe that disability is a punishment caused either by angry “... spirits for a wrong committed by a family to another family, bewitching by vindictive or aggrieved parties, a curse for wrongdoing, use of magic gone awry within the family, or use of the disabled member as a sacrificial pawn...” [91]

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## 22. WOMEN

### OVERVIEW

- 22.01 Freedom House's report, *Freedom in the World 2009*, Zimbabwe, covering events in 2008, published on 16 July 2009, reported that:

"Women enjoy extensive legal protections, but de facto societal discrimination and domestic violence persist. Women serve as ministers in national and local governments and hold seats in Parliament. The World Health Organization has reported that Zimbabwean women's 'healthy life expectancy' of 34 years is the world's shortest. Sexual abuse is widespread, including the use of rape as a political weapon. A recent upsurge in gender-based violence spurred renewed calls for the enactment of the Prevention of Domestic Violence Bill, which has lingered in Parliament for eight years. Women oppositionists often face particular brutality by security forces. The prevalence of customary laws in rural areas undermines women's civil rights and access to education. Homosexuality, decried as un-African by Mugabe, is illegal. [the bill became law in October 2007 – see section on domestic violence below]." [96a] (p8)

- 22.02 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 May 2009, noted that:

"In recent years women progressed in health and education but in general were concentrated in the lower echelons of the workforce, especially in the financial industry. Women held positions of importance in the legislative and executive branches of the government. NGOs reported that anecdotal evidence indicated women experienced economic discrimination including access to employment, credit, pay, and owning or managing businesses. However, detailed information was not available." [2b] (Section 5)

- 22.03 The Department for International Development's country overview of Zimbabwe (updated in December 2008) noted that women living in Zimbabwe had the lowest life expectancy of any country in the world. The report noted that AIDS and poor economic conditions had contributed towards an average life expectancy in the country to drop to 34 years. [45b]

- 22.04 The Human Rights Watch, reported in its *World Report 2009*, covering events in 2008, dated 14 January 2009 that the deteriorating economic and political conditions have led to an escalation in violence against women. The aftermath of the March 2008 parliamentary and presidential elections, that saw the Government and its supporters engaged in a "... systematic campaign of violence ... In an attempt to overturn the vote in the presidential run-off ..." [69c] resulted in large numbers of women becoming victims of political violence. Pambuka News noted in an article dated 4 December 2008:

"In the MDC strongholds such as Manicaland and Mashonaland Central where the government had been trying to violently suppress the opposition, women and girls were raped and abused. In numerous examples, the youth militia and war veterans approached women and asked them to reveal the whereabouts of their husbands or brothers. Women were tortured and abused in order to force them to tell where their husbands were hiding. They raped them or physically assaulted them to force the males, whom they suspected to be opposition supporters, to return home. ... Many other instances were reported

where women and girls were abducted for the purposes of supplying youth militia at the bases with sexual services, cooking and cleaning. Several testimonies collected for this study contain clear cases of sexual slavery and torture.” [46a] (p3)

- 22.06 Zimbabwe is a signatory to the United Nation’s Convention on the Elimination of All Forms of Discrimination against Women. Zimbabwe ratified the treaty on 13 May 1991. [25c]

For further information about the situation of girls see [Children](#)

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## LEGAL RIGHTS

- 22.07 The USSD 2008 report stated: “The constitution and law provide that no person can be deprived of fundamental rights, such as the right to life, liberty, and security of person, based on [amongst other things] one’s... gender... however, the constitution allows for discrimination, primarily against women, on the grounds of ‘customary law.’” Discrimination against women remained a problem. [2b] (Section 5)

For more information on the situation of women see [Socio-economic rights](#) (marriage, divorce and inheritance) and laws protecting women, [Violence against women](#).

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## POLITICAL RIGHTS

22. 08 The *Afrol Gender Profile – Zimbabwe* (accessed on 2 February 2009) reported that historically, women, despite the use of a women-only shortlist, have been underrepresented in government and politics. Until the formation of the current power sharing government, women were only represented in a small number of senior parliamentary positions - deputy speaker, three cabinet posts, three ministers of state, and three deputy ministers. “Women participate in politics without legal restriction; however, according to local women’s groups, husbands – particularly in rural areas – commonly direct their wives to vote for the husband’s preferred candidates.” [73a] (p3)

- 22.09 The USSD 2008 report observed:

“After the March [2008] elections, there were 32 women in the 210-seat House of Assembly. Women won 21 of the 60 elected seats in the Senate, including the president of the Senate. One vice president, one deputy prime minister, four ministers, and two governors were women. Of these 270 elected positions, 53 were filled by women, constituting 19 percent of the total, short of the SADC target for female representation of one-third. In 2006 Rita Makarau became the first woman to hold the position of judge-president of the High Court. Women participated in politics without legal restriction, although according to local women’s groups, husbands commonly directed their wives to vote for the husbands’ preferred candidates, particularly in rural areas. The ZANU-PF congress allotted women one-third of party positions and reserved 50 positions for women on the party’s 180-member central committee, which was one of the party’s most powerful organizations.” [2b] (Section 3)



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## SOCIAL AND ECONOMIC RIGHTS

- 22.10 Behind the Mask reported on 13 June 2008 that women traditionally hold a lower status in society. "Women... are not at liberty to mix with whom they please and establish unsupervised relationships. ... Women who claim to be independent of men, even for sex, arouse intense anger in those men with deep-seated insecurities about sexual rejection and the need to control." However, women were often able to lead an economically independent life Zimbabwe's larger towns and cities. [92g]
- 22.11 Afrol (accessed 2 February 2009) noted that societal attitudes towards women's rights had improved in recent years. It noted that "... gender issues, which belonged to the private and family sphere, are now discussed in public and abuse is starting to be taken to court." 73a] (p1)
- 22.12 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 May 2009, noted that:
- "Despite laws aimed at enhancing women's rights and countering certain discriminatory traditional practices, women remained disadvantaged in society. Economic dependency and prevailing social norms prevented rural women in particular from combating societal discrimination. Despite legal prohibitions, women remained vulnerable to entrenched customary practices, including pledging young women to marry partners not of their choosing and forcing widows to marry the brothers of their late spouses." [2b] (Section 5)
- 22.13 The USSD 2008 report also stated that:
- "Women and children continued to be adversely affected by the government's forced evictions and demolition of homes and businesses in several cities and towns. Many widows who earned their income in the informal economy or by renting out cottages on their property lost income when their market stalls or cottages were destroyed. Widows faced particular difficulties when forced to relocate to rural areas. Traditionally, women joined their husband's family when married and were considered an unwanted burden by their childhood families. Likewise, they were sometimes unwelcome in their husband's family in rural areas where resources were already strained.
- "The Ministry of Women's Affairs, Gender, and Community Development continued its efforts to advance women's rights. The ministry, through collaboration with local NGOs, continued training workshops for traditional leaders in rural communities to create more awareness on women's issues. Women's Affairs Minister Oppah Muchinguri maintained 'gender units' in every ministry. The government gave qualified women access to training in the military and national service. Although there were advances for women within the armed forces in recent years, they continued to occupy primarily administrative positions. In recent years women progressed in health and education but in general were concentrated in the lower echelons of the workforce, especially in the financial industry. Women held positions of importance in the legislative and executive branches of the government. NGOs reported that anecdotal evidence indicated women experienced

economic discrimination including access to employment, credit, pay, and owning or managing businesses. However, detailed information was not available.

“Several active women's rights groups concentrated on improving women's knowledge of their legal rights, increasing their economic power, combating domestic violence, and protecting women against domestic violence and sexual transmission of HIV/AIDS.” [2b] (Section 5)

### Family law: marriage, divorce and inheritance

22.14 The USSD 2008 also noted that: “The law recognizes women's right to own property independently of their husbands or fathers; however, many women continued to be unaware of their property and inheritance rights. Divorce and maintenance laws were equitable, but many women lacked awareness of their rights.” [2b] (Section 5)

22.15 Afrol noted, (undated), accessed on 2 February 2009, that:

“The Legal Age of Majority Act (LAMA) and the Matrimonial Causes Act recognize women's right to own property independently of their husbands or fathers. While unmarried women may own property in their own names, women married under customary law are not allowed to own property jointly with their husbands. During the September land conference, women's rights organizations effectively lobbied the Government to agree to create legislation giving married women joint spousal title to property offered under the resettlement program; however, no such legislation had been enacted by year's end ... The Administration of Estates Amendment Act, which came into effect in October 1997, removed inheritance laws unfavourable to widows. Women's groups regard the act as a major step toward ending the unfair and unequal distribution of inherited assets for women. The President signed the new Inheritance Amendment into law. However, in February [2006] the Supreme Court upheld a magistrate court decision that, under customary ethnic law, a man's claim to family inheritance takes precedence over a woman's, regardless of the woman's age or seniority in the family; the Court cited Section 23 of the Constitution, which allows discrimination against women under customary law. Divorce and maintenance laws are favourable to women, but women generally lack awareness of their rights under the law.” [73a] (p1-4)

22.16 Afrol (undated), accessed on 2 February 2009, stated that:

“Women remain disadvantaged in society. Illiteracy, economic dependency, and prevailing social norms subject women to societal discrimination. Customary practices, including the practice of pledging a young woman to marriage with a partner not of her choosing; the custom of forcing a widow to marry her late husband's brother; and the custom of offering a young girl as compensatory payment in interfamily disputes is deeply rooted in Zimbabwe.” [73a] (p1-4)

22.17 Womankind.org noted in *Why Zimbabwe* (accessed on 17 October 2007) that:

“There are three types of marriages, namely civil marriages, registered customary marriage and unregistered customary marriages. Customary

marriages are traditional unions, which are sometimes registered, but which often remain informal. The legal status of a marriage determines the rights of a wife after divorce or the death of a spouse. Nearly a fifth of marriages are estimated to be polygamous: some women see polygamy as preferable to monogamy where they might otherwise be socially excluded due to their unmarried status.” [63]

- 22.18 The same report also noted that “An estimated 80% of marriages in Zimbabwe are ‘customary marriages’, in which a woman’s right to inherit property upon the death of her husband can be severely compromised. Around 18% of women are in polygamous marriages, which further limit a wife’s property rights. Childless widows are often evicted, as are those who refuse to be physically ‘inherited’ by a male relative of their late husbands.” [63]

For related information see Children – [Customary marriages](#)

## Prostitution

- 22.19 The Institute for War and Peace Reporting noted on 3 July 2008 that the current economic conditions in the country, over 80 per cent unemployment coupled with hyper-inflation, has led many women to turn to the sex industry as the only way of feeding themselves and their families. The report highlighted a number of examples of women who have made the decision to sell sex for food and shelter. [77a]

- 22.20 The USSD 2008 noted that:

“Prostitution is illegal, and several civil society groups offered anecdotal evidence that the country’s worsening economic problems were forcing more women and young girls into prostitution. There were increasing reports that women and children were sexually exploited in towns along the borders with South Africa, Botswana, Mozambique, and Zambia. During the year there were numerous media reports regarding concerted efforts by police to halt prostitution throughout the country. Police arrested both prostitutes and their clients during the year.” [2b] (Section 5)

## Reproductive rights - access to abortion

- 22.21 The United Nations Population Division (Department of Economic and Social Affairs) noted, in a report dated 23 November 2005, that abortion in Zimbabwe was only legally sanctioned in the following circumstances:

- to save the life of the mother;
- to preserve the physical health of the mother;
- following rape or incest; and,
- foetal impairment.

Abortion was not available on request or for the following reasons:

- to preserve mental health; and,
- economic or social reasons. [74] (p189)

- 22.22 The UN report went on to note that:

“A legal abortion must be performed by a physician in a designated institution with the permission of the superintendent of the institution. If the pregnancy resulted from unlawful intercourse, a magistrate of a court in the jurisdiction where the abortion will be performed must certify that the alleged intercourse was reported to the police and that pregnancy may have resulted from it. When the abortion is requested because the pregnancy poses a threat to the life or physical health of the pregnant woman, or on grounds of foetal impairment, two physicians that are not members of the same practice must certify to the relevant hospital superintendent that one of these conditions exists. However, if the woman’s life is in danger, a physician can perform the abortion in a place other than a designated institution and without a second medical opinion.” [74] (p189)

- 22.23 IRIN news reported on 30 March 2005 that the protracted process of satisfying the conditions of the ‘Termination of Pregnancy Act (1977)’ “... coupled with the fact that legal abortions are not free, have led to a growing ‘black market’ for the procedure, where back street terminations are often performed by unskilled personnel in unhygienic surrounding.” As a result it was reported that 70,000 illegal abortions take place in Zimbabwe every year. One consequence of illegal was a large number of young women (usually between the ages of 15 and 24) seeking post abortion medical assistance. [10m]
- 22.24 *The Herald* reported on 12 July 2008 that a woman who confessed to “... terminating a seven-month pregnancy was sentenced to perform community service after a Harare magistrate wholly suspended her nine-month prison term” [23f] Another *Herald* article, dated 14 July 2008, reported that the Director of the Zimbabwe Women Lawyer’s Association, Emilia Muchana, called on the government to improve the implementation of the Termination of Pregnancy Act so as to allow women to terminate ...” pregnancies that result from rape. Ms Muchana stated that implementation of the Act was slow with women giving birth to ‘unwanted kids’ due to delays in granting them the go-ahead to terminate such pregnancies.” [23g]
- 22.25 *The Herald* reported on 27 April 2009 that a 36 year old women was believed to have died while trying to terminate her pregnancy. The news report noted that a post mortem at Chinhoyi Provincial Hospital discovered a cooking stick lodged inside the woman that had perforated a number of her organs. The police stated their belief that the woman had tried to perform an illegal abortion. [23i]

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## VIOLENCE AGAINST WOMEN

- 22.26 The Foreign and Commonwealth Office noted in its annual human rights report, covering events in 2008, published on 26 March 2009, that:

“There were at least three politically motivated rapes, and reports of many women being used as ‘sex slaves’ at ZANU-PF bases. Throughout the year, women protesters have been regularly beaten and arrested, even when pregnant or with small children. A growing number of cases of women and under-age girls are experiencing sexual violence at the hands of relatives. Women still lag behind men in political and decision-making positions and in education. The UK is funding a number of NGOs who are campaigning specifically for the rights of women and children to be upheld and working to address the growing issue of gender-related violence. DfID has also been supporting the development of a national gender strategy and mechanisms for more harmonised and predictable support for gender equality and women’s empowerment.” [13a] (Women’s and children’s rights)

- 22.27 Afrol accessed 2 February 2009 noted that “Violence against women, especially wife beating, is common. Domestic violence accounted for more than 60 percent of murder cases tried in the Harare High Court in 1998. The media increasingly reports incidents of rape, incest, and sexual abuse of women.” [73a] (p1) The same source also noted that Female Genital Mutilation (FGM) is still practised by a small ethnic group called the Remba [or Lemba]. [73a] (p2)
- 22.28 Trafficking remained a problem in 2008, and women and girls were trafficked for sexual exploitation and domestic servitude. (USSD 2008 report) [2b] (Section 5) More details can be found the section on [Trafficking](#).

## Politically motivated violence

- 22.29 The BBC reported on 25 July 2007 that Amnesty International claimed in a new report that “women who oppose Robert Mugabe’s regime in Zimbabwe are suffering increasing violence and repression...” The report also noted that “Detained women human rights defenders have been subjected to sexist verbal attacks, and denied access to food, medical care and access to lawyers... Some have been severely beaten while in police custody, in some instances amounting to torture.” [3be] Freedom House in *Freedom in the World 2009 – Zimbabwe*, covering events in 2008, reported that ZANU-PF youth militias have used rape, torture and even murder as a political weapons against women. [96a]
- 22.30 Freedom House also reported that security forces continued to disrupt demonstrations by the Women of Zimbabwe Arise (WOZA) group. Hundreds of women are reported to have been arrested during demonstrations throughout 2008. [96a]
- 22.31 Various sources reported during the 2008 elections that rape was used by ZANU-PF as a political weapon against opposition supporters. IRIN News reported on 9 July 2008 that: “Several women, including a 70-year-old grandmother and a 15-year-old girl, have been gang-raped...” In some cases, it was reported that opposition supporters were forced to “donate” women to torture camps to avoid becoming victims themselves. “Rape was being used

as a 'deplorable' weapon against those perceived as not supporting ZANU-PF. And 'in many instances, the victims cannot remember the number of people who raped them but it is usually more than 20...' which increased the chances of contracting a sexual transmitted disease. [10u]

- 22.32 Reuters reported on 8 August 2008 that similar events having taken place during and after the elections, with 53 cases of rape having been reported since mid April 2008. Reuters noted that: "More than 50 women, some as young 13 and others as old as 60, have been gang raped and tortured by government-backed militias in Zimbabwe because of their support for the opposition... One 60-year-old woman said she was raped by 18 militia members who told her they wanted her to have a ZANU-PF baby..." The 13 year old girl was reported to have been held at a youth militia camp and used as a sex slave, being repeatedly raped and beaten. [75c]
- 22.33 Freedom House in *Freedom in the World 2009*, Zimbabwe, published on 16 July 2009 reported that: "Sexual abuse is widespread, including the use of rape as a political weapon." [96a]

For more information about politically motivated violence see [Latest news](#), [Recent developments](#), [Security forces](#), [Political affiliation](#) and [Human rights institutions, organisations and activists](#)

## Domestic violence

- 22.34 The USSD 2008 noted that:

"Domestic violence against women, especially wife-beating, continued to be a serious problem. In 2006 the Musasa Project, a local NGO that worked for the protection and promotion of women's rights, reported that approximately one-third of women in the country were in an abusive marital relationship. Most cases of domestic violence went unreported due to traditional sensitivities and fear of economic consequences for the family. Authorities generally considered domestic violence to be a private matter and usually only arrested an offender for assault if there was physical evidence of abuse. There were newspaper reports of wife killings, and there were a few reports of prosecutions and convictions for such crimes.

"In October 2007 the government enacted the Domestic Violence Act, which criminalizes domestic violence and provides enhanced protection for victims of abuse; the act was viewed as a milestone by women's rights groups. The law provides for a fine and a maximum prison sentence of 10 years. The Ministry of Women's Affairs and local women's groups coordinated efforts to develop an implementation strategy after the act passed parliament in 2006. ...

"During the year the government continued a public awareness campaign on the act. Several women's rights groups worked with law enforcement and provided training and literature on domestic violence as well as shelters and counselling for women. Local women's rights groups reported that awareness of domestic violence increased; however, the press reported that the act has proven difficult to implement, as the form to report domestic violence to the police is 30 pages long, making it difficult to complete and photocopy." [2b] (Section 5)



## Rape

22.35 The USSD 2008 continued:

“The law makes rape and non-consensual sex between married partners a crime; however, few cases of rape, especially spousal rape, were reported to authorities because women were unaware that spousal rape was a crime and feared losing the support of their families, particularly in rural areas. The criminal code defines sexual offenses as rape, sodomy, incest, indecent assault, or immoral or indecent acts with a child or person with mental disabilities and provides for penalties up to life in prison for sexual crimes. Police acted on reported rape cases not associated with political violence, and the government media frequently published stories denouncing rape and reporting convictions. In many cases the victims knew their rapists. The criminal code also makes it a crime to knowingly infect anyone with HIV. Local NGOs dealing with women's rights reported that rape cases were brought to the court and there were convictions; however, statistics were unavailable.”  
[2b] (Section 5)

For more information on violence against women (and girls) see [Latest news](#), [Recent developments](#), [Security forces](#), [Political affiliation](#), [Human rights institutions, organisations and activists](#), [Children](#), [Violence against children](#), and [Trafficking](#)

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## 23. CHILDREN

### OVERVIEW

- 23.01 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, noted that:

“The government's commitment to children's rights and welfare did not improve during the year. Declining socioeconomic conditions, violence, and a dysfunctional education system continued to place more children at risk. According to statistics from UNICEF, one-quarter of the country's children were orphans, and 100,000 children lived in child-headed households. The education system experienced its worst year on record.” **[2b] (Section 5)**

- 23.02 The Foreign and Commonwealth Office noted in its annual human rights report, published on 26 March 2009, that: “... children were not spared the violence meted out by state agents in the electoral period. Children have been beaten, watched their parents be beaten in front of them, been coerced into participating in violence, been displaced and been separated from their parents and carers.” **[13a] (Women's and children's rights)**

- 23.03 UNICEF reported that there were 6,175,000 children under the age of 18 in 2007. Of that figure, 1,706,000 were under the age of 5. **[84a] (accessed 29 May 2009)**

Further background information can be found at the following website:  
[http://www.unicef.org/infobycountry/zimbabwe\\_1403.html](http://www.unicef.org/infobycountry/zimbabwe_1403.html)

### Basic legal information

- 23.04 Avert.org, accessed on 29 May 2009, noted that the age of consent in Zimbabwe for males and females was 16 years. **[168b]** The Zimbabwe Ministry of Youth Development and Employment (accessed 29 May 2009) reported that: “The minimum age of marriage under the Marriage Act is 16 for girls and 18 for boys.” **[165a]** However, the USSD 2008 reported that: “Customary marriage, recognized under the Customary Marriages Act, does not provide for a minimum marriage age for either boys or girls; however, the criminal code prohibits sexual relations with anyone younger than 16 years of age.” The report also noted that: “The traditional practice of offering a young girl in marriage as compensatory payment in interfamily disputes continued during the year, as did arranged marriage of young girls.” **[2b] (Section 5)**
- 23.05 The Zimbabwe Ministry of Youth Development and Employment (accessed 29 May 2009) noted that the age of majority was 18, also noting that “... the legal minimum age for employment is 15 and employed children cannot work for more than 6 hours a day.” **[165a]** The United Nations Committee on the Rights of the Child reported on 17 June 1996 that the age of criminal responsibility was 15. Children under the age of 7 years of age are considered incapable of committing a crime with a ‘rebuttable presumption’ that children between 7 and 14 years of age were incapable of committing crimes. **[25b] (p2)**

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## LEGAL RIGHTS

- 23.06 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, noted that:

“Although legislation existed to protect children’s rights, it was difficult to administer and enforce, primarily due to a lack of funding and resources. Many orphaned children were unable to obtain birth certificates, which the Child Protection Society reported made it difficult for the children to enrol in school and access health services; however, the government made improvements in 2007 by decentralizing the authority to issue birth certificates to local Registrar General offices throughout the country.” [2b] (Section 5)

- 23.07 Zimbabwe is a signatory to the following United Nations conventions regarding the treatment of children:

Convention on the Rights of the Child, ratified 11 September 1990.  
It accepted amendments to Article 43(2) of the Convention (dated 12 December 1995) on 27 August 2002.  
<http://treaties.un.org/Pages/Treaties.aspx?id=4&subid=A&lang=en>

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## VIOLENCE AGAINST CHILDREN

- 23.08 The Foreign and Commonwealth Office noted in its annual human rights report, published on 26 March 2009, that: “A growing number of cases of ... under-age girls are experiencing sexual violence at the hands of relatives.” [13a] (Women’s and children’s rights)

- 23.09 The USSD 2008, published on 25 February 2009, noted that:

“Child abuse, including incest, infanticide, child abandonment, and rape continued to be serious problems during the year. Police statistics showed that child rape tripled between 2005 and 2007. Anecdotal evidence suggested that a relative or someone who lived with the child was the most common abuser. Girl Child Network reported that girls believed to be virgins were at risk for rape due to the belief among some that having sex with a virgin would cure men of HIV and AIDS. In February UNICEF and the government launched the ‘Stand Up and Speak Out’ child abuse awareness and prevention campaign.” [2b] (Section 5)

- 23.10 The BBC reported on 12 June 2009 that: “Growing numbers of children in Zimbabwe are turning to prostitution to survive, the charity Save the Children says. The aid agency says increasing poverty is leading girls as young as 12 to sell their bodies for as little as a packet of biscuits.” [3aa]

- 23.11 *The Guardian* reported on 10 November 2009 that the poor state of Zimbabwe’s economy was breaking traditional family structures, and this had led to a significant rise in the numbers of reported cases of child abuse. The economic migration of parents and the fact that many more children are being orphaned by HIV/AIDS has seen more children placed in vulnerable positions where they are more easily exploited. The report noted that a single clinic in

Harare was "... seeing an average of 20 child abuse victims a day." Local NGO, the Girl Child network, estimated that "... on average a man can rape 250 children before his crimes become public knowledge. " [34a]

- 23.12 The USSD 2008 report noted that trafficking of children was a serious problem with girls and boys being trafficked for sexual exploitation in neighboring countries. The report noted that there was limited assistance available to these children, noting that:

"Victims suffering from child or domestic abuse were treated with special procedures in victim-friendly courts, and trafficked persons had the option to take cases before such courts. Local immigration and social services officials referred trafficking victims to NGO-funded centers. Save the Children Norway also offered shelter and referrals for medical attention at the IOM reception centers in Beitbridge and Plumtree for unaccompanied children and trafficking victims." [2b] (Section 5)

- 23.13 Afrol News (accessed on 31 August 2006) reported that initiation rites practised by the small Remba ethnic group in Midlands province include infibulation, the most extreme form of FGM. [73a]

See also [Women](#), [Violence against women](#), and [Trafficking](#)

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## CHILDCARE AND PROTECTION

- 23.14 The USSD 2008, published on 25 February 2009, noted that:

"In 2007 the Ministry of Public Service, Labor, and Social Welfare and the UNICEF formalized agreements with 21 NGOs to advance the National Action Plan for Orphans and Vulnerable Children (NAP for OVC), designed to ensure that orphans and vulnerable children were able to access education, food, health services, and birth registration and were protected from abuse and exploitation. UNICEF reported that the NGOs involved in the program had reached just over 200,000 OVC with comprehensive support and protection since the beginning of the program. However, the government-imposed NGO ban between June and August negatively affected the program, putting vulnerable children at greater risk." [2b] (Section 5)

- 23.15 UNICEF noted in *At a Glance: Zimbabwe* (accessed on 2 February 2009) that Zimbabwe has 1.1 million orphans, the vast majority of whom have been orphaned by AIDS. [85a] (p2) A report by the Institute for War and Peace Reporting, dated 27 January 2009, reported that the number of orphans in Zimbabwe was 1.5 million. [77e]
- 23.16 Kubatana.net (accessed 2 February 2009) noted that there were at least 30 non-governmental organisations throughout Zimbabwe that championed the plight of, and/or provided assistance and shelter for orphaned children. [55o] In addition, a number of other NGOs operated in Zimbabwe, including 'Mustard seed Communities', accessed 2 February 2009, which provided residential, medical care, food and education to Zimbabwean Children. However, the assistance they were able to offer was limited. [137a] The Firelight Foundation [72a] and Save the Children were also active in Zimbabwe providing a range of

support services for orphans and other children. Services included arranging accommodation for orphaned children, providing food, medication and funding for education. Save the Children (What we do in Zimbabwe – 2008/9) noted that it worked in partnership with a range of organisations including UNICEF, IOM, World Food Programme and local NGOs. [86a]

- 23.17 HIV-AIDS Zimbabwe (HAZ) reported on 18 July 2007 that economic conditions were making it increasingly difficult for the country's orphanages to care for the increasing numbers of children who have lost one or both parents to AIDS. However, the report noted that the Roman Catholic Diocese of Mutare had recently established two children's houses under its 'Home of Hope' initiative. "The two completed homes are part of an on going project to construct 13 homes for OVCs [Orphans and Vulnerable Children]." Each home will house eight children and access to the facility will be via the social welfare department. [93] A report by the Institute for War and Peace Reporting, dated 27 January 2009, noted that grandparents, specifically grandmothers, were often left with the responsibility for raising orphaned grandchildren. The report noted a couple of examples of aged grandmothers left to care for children who had often been orphaned by HIV/AIDS. However, the report noted that UNICEF and the World Food Programme was providing some food and medical aid to these orphaned families, with UNICEF alone providing assistance to more than 250,000 orphans. The ongoing food crisis, with 5.5 million people requiring food aid, has exacerbated the situation for those with HIV/AIDS and the affected households. [77e]
- 23.18 The Foreign and Commonwealth Office noted in its annual human rights report, published on 26 March 2009, that it was providing assistance that enabled "Over 150,000 orphans and vulnerable children ... to go to school ..." [13a] (Aid and humanitarian relief)
- 23.19 The USSD 2008 report noted with regard to displaced and street children that:
- "UNICEF estimated that at least 10,000 children were displaced in election-related violence. At year's end NGOs were uncertain how many children remained affected. The continuing economic decline and the government's lack of support for social welfare institutions contributed to a noticeable increase from the estimated 12,000 street children throughout the country. NGOs operated training centers and homes for street children and orphans, and government officials referred children to these centers." [2b] (Section 5)

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## CHILD LABOUR

- 23.20 The USSD 2008 report noted that:
- "Under the LRAA [Labour Relations Amendment Act], child labor is punishable by a fine, two years' imprisonment, or both; however, child labor was common. Under the LRAA, a child between the ages of 13 and 15 can work as an apprentice or if the work is an integral part of 'a course of training or technical or vocational education.' The law further states that no person under 18 shall perform any work likely to jeopardize that person's health, safety, or morals. The status of children between 15 and 18 years of age is not directly addressed, but 15 years of age remains the minimum for light work, work

other than apprenticeship, or work associated with vocational education.”  
**[2b] (Section 6d)**

- 23.21 The United States Department of Labor report, 2008 Findings on the worst forms of child labor – Zimbabwe (USDL 2008), dated 10 September 2009, noted that:

“The law prohibits forced labor, servitude, and slavery but provides exceptions in cases where such labor is required by a member of a ‘disciplined force,’ such as the National Youth Service, or parents. The law provides penalties of 2 years of imprisonment, a fine, or both, for forced labor violations. There are no laws specifically prohibiting trafficking in persons in Zimbabwe; however, the law prohibits procuring individuals for prostitution either inside the country or internationally. The law also prohibits procuring individuals to leave Zimbabwe with the intention of engaging them in prostitution. The law provides penalties of a fine and up to 10 years of imprisonment for those convicted of procuring children for prostitution. Sexual relations with children under 16 years are prohibited and rape is punishable by life imprisonment.” **[38a] (Child Labor and Enforcement)**

- 23.22 The USDL 2008 report continued:

“In Zimbabwe, most working children are engaged in agriculture, hunting, and fishing. ... children work long hours for little pay and sometimes handle hazardous chemicals. ...to a lesser extent, Zimbabwean children work in domestic service, the restaurant and hotel industries, mining, quarrying, manufacturing, construction, and other types of work. Children engaged in domestic work for third-party households, and are sometimes not paid by their employers. ... In the capital of Harare, children work as street vendors, selling phone cards, fruit, and foodstuffs. Street children are sometimes rounded up by police and taken to farms, where they are made to work as unpaid laborers.

“Girls continue to be exploited in prostitution, including in rural Matabeleland South Province. Poverty, high food prices, and lack of funds to pay school fees are all factors contributing to the prostitution of girls, including girls as young as 13 years. The belief that sex with a virgin can cure sexually transmitted infections contributes to the sexual exploitation of children and the spread of disease.

“Within Zimbabwe, rural children are trafficked to farms for agricultural work and domestic service, and to urban areas for commercial sexual exploitation and domestic service. ... There are reports that children left in Zimbabwe by emigrating parents have been exploited by traffickers offering to transport the children to their parents’ countries of resettlement. ...Zimbabwean girls as young as 12 years are known to engage in prostitution along the transport corridor between Zimbabwe and the Mozambican port of Beira in Sofala Province and in Central Mozambique along the Zambezi River. Zimbabwean girls also work in Mozambique in bars and restaurants.” **[38a] (Incidence and nature of child labor)**

- 23.23 The States in Transition Observatory, noted in the report, Zimbabwe Government of National Unity Watch – October 2009 (dated 10 November 2009), that: “The Coalition Against Child Labour Zimbabwe (CACLAZ)



estimates that as many as 90% of children born on farms are not registered with birth certificates, exposing them to child labour.” [9f] (p6)

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## EDUCATION

- 23.24 The Solidarity Peace Trust report, *Walking a thin line*, published on 30 June 2009, noted that:

“Zimbabwe has previously been considered as one of the best nations in Africa in providing blanket access to education for children, including in rural areas. This position has been drastically undermined in the last ten years, and in the last two years in particular. Hyperinflation and the ridiculous situation where teachers were effectively earning R[and] 2 a month by the end of last year, led to nationwide closures of schools in August 2008, as teachers went on indefinite strike. Throughout 2008, there were only 24 days of effective teaching, meaning that children lost an entire year of education. Apart from the lack of teachers, schools have fallen into dramatic disrepair, and textbooks are now in a ratio of one book to more than 30 pupils. There are entire schools without a stick of chalk, no exercise books to write in, and little in the way of classroom furniture.” [65b] (p32)

- 23.25 The Foreign and Commonwealth Office noted in its annual human rights report, published on 26 March 2009, that: “Education has been severely disrupted in 2008. ... The education system has not recovered.” [13a] (**Women’s and children’s rights**) IRIN reported on 4 May 2009 that: “According to the UN Children’s Fund (UNICEF), school attendance rates dropped from 80 per cent to 20 per cent in 2008.” The report noted that a lack of teachers and unaffordable school fees were responsible. However, David Coltart the MDC minister of education announced that the government of national unity was looking at a package of measures to attract teachers back to work and to get children back in classes, including reducing school fees. [10d]

- 23.26 The International Crisis Group (ICG) reported on 20 April 2009, that: “Schools have been at a standstill for a year due to lack of funding. Many teachers have emigrated, and only 60,000 of the former 140,000 reportedly remain.” One of the first acts of Prime Minister Tsvangirai has been the payment of a “... modest hard-currency retention allowance of [US] \$100, a sum many considered inadequate. Teachers agreed to resume work on the promise of more to come, but have threatened to go back on strike if their salaries are not raised quickly.” [100a] (p9)

- 23.27 The USSD 2008 report noted that:

“Primary education is not compulsory, free, or universal for any children. According to the UNICEF Humanitarian Action Report 2008: Zimbabwe, the educational system was ‘characterized by low enrolment rates, declining attendance and completion rates, low transition rate to secondary school and insufficient learning spaces, teachers and learning materials.’ Many schools attempted to charge school fees in foreign currency, fuel coupons, or even livestock, as the value of local currency continued to fall. Many parents complained that they did not have access to resources to pay school fees. In

October the two main teachers' unions jointly called for the school year to be cancelled, labelling it a 'wasted year.' Election preparations, elections, election-related violence, teacher strikes, and teacher salaries that were lower than commuting costs contributed to repeated disruptions to effective learning during the year. One teachers' union estimated students averaged only 23 days of formal instruction in the entire academic year.

"UNICEF estimated 82 percent net primary school enrolment through 2005; however, school attendance declined dramatically during the year. At year's end UNICEF estimated that just 20 percent of children attended school. This decline resulted from severe economic hardship, displacement of thousands of children from their homes as a result of election-related violence, emigration of qualified teachers, the inability to pay school fees, and Operation Murambatsvina. The highest level achieved by most students was primary level education. UNICEF figures through 2005 showed a net secondary school enrolment of 35 percent for boys and 33 percent for girls.

"In most regions of the country, fewer girls than boys attended secondary school. If a family was unable to pay tuition costs, it was most often female children who left school. The Child Protection Society reported that girls were more likely to drop out because they were more readily employable, especially as domestic workers. In 2006, in collaboration with UNICEF and other partners, the government launched a National Girls' Education Strategic Plan to increase the likelihood of achieving universal primary education and ensuring that girls stayed in school." [2b] (Section 5)

23.28 The USSD 2008 continued:

"The government gave preference to national youth service graduates among those entering and those seeking employment in the civil service, especially in the security forces. The stated purpose of the training camps was to instil national pride in youth, highlight the history of the struggle for independence, and develop employment skills; however, news reports quoted deserters as saying that the camps subjected trainees to partisan political indoctrination as well as military training. There were numerous credible reports that graduates were used by the government to carry out political violence." [2b] (Section 5)

23.29 Freedom House noted in *Freedom in the World 2009*, Zimbabwe, published on 16 July 2009, that:

"Academic freedom is limited. All schools are under state control, and education aid is often based on parents' political loyalties. Security forces and ZANU-PF thugs harass dissident university students, who have been arrested or expelled for protesting against government policy. Following the March 2008 elections, thousands of teachers – many of whom served as polling officials – were beaten by ZANU-PF militias. According to the Progressive Teacher's Union of Zimbabwe, about 600 teachers had been hospitalized and 231 teachers' houses had been burned down by May. As a result, many rural schools were forced to close." [96a] (p6)

23.30 IRIN reported on 10 February 2009 that:

"About 94 percent of Zimbabwe's rural schools - where most children are educated - failed to open this year [2009], the UN Children's Fund said on 10

February 2009. ... Widespread disruption of schools began in the aftermath of the March 2008 elections and continued beyond a presidential run-off poll in June, which was not recognized internationally because of the state-sponsored political violence.

“After the elections, many teachers failed to return to their posts as a consequence of salaries made worthless by hyperinflation and a fear of continued political violence.” [10i]

- 23.31 *The Times* reported on 8 October 2008 that: “In the mid-1990s there was a national O-level pass rate of 72 per cent. Last year it crashed to 11 per cent. Many schools recorded zero passes.” [82a]

- 23.32 The Solidarity Peace Trust report, *Walking a thin line*, published on 30 June 2009, noted that:

“While rural education is supposedly free, schools charge levies; bus fares and medical fees have to be paid ... Media reports indicate that some rural families are being charged up to 16 buckets of maize (200kg) per child in lieu of district council school fees. This is the equivalent of 4 months’ maize supply for most families. To pay this per child per term is clearly an unsustainable fee structure for parents: having three children in this school will cost the equivalent of an entire year’s harvest per term. Even in government schools, levies of between R10 and R50 [South African Rand] per term are being charged, to allow for the purchase of chalk and other basic commodities, and parents are paying in buckets of maize as they don’t have the money.” [65b] (p28)

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## HEALTH AND WELFARE

- 23.33 The Department for International Development’s (DFID) country overview of Zimbabwe (accessed on 29 May 2009) noted that: “1 in 12 children die before the age of five: 82 per 1,000 births. Almost 40% of these will die in the first month of life.” [45f]
- 23.34 *The Daily Mirror* reported on 18 January 2006 that the experiences of children and the parents of children with disabilities were often difficult with discrimination of disabled children still very common. The report noted that disabled “...children face a lot of challenges ranging from lack of adequate schooling facilities, transport problems and accommodation...” Most “...disabled children spend the better part of their time indoors as their parents try to hide them for fear of victimisation by their able-bodied counterparts.” The mothers of disabled children are sometimes blamed for their child’s disability with some women being labelled a ‘witch’. [47]

Also see [Disability](#)

## HIV/AIDS

- 23.35 The Department for International Development's Key Facts - Zimbabwe (last updated in December 2008) noted that: "Zimbabwe has the highest proportion of children orphaned by AIDS in the world. According to Unicef, more than 25% of all children - some 1.8 million of them - have lost one or both parents." [45b]
- 23.36 The USSD 2008, published on 25 February 2009, noted that:
- "With 1.6 million orphans with HIV/AIDS, the country had the world's highest percentage of orphaned children at one in four, and the number increased during the year. Ninety percent of orphans were cared for by the extended family. Many grandparents were left to care for the young, and, in some cases, children or adolescents headed families and were forced to work to survive. Orphaned children were more likely to be abused, not to be enrolled in school, and to suffer discrimination. Some children were forced to turn to prostitution as a means of income." [2b] (Section 5)
- 23.37 IRIN also noted that the collapse of the health services system has meant that previously manageable conditions are developing into full blown AIDS at a much quicker pace. According to UNICEF about 41 percent of child deaths are AIDS-related ..." [10h]

See also Medical issues, [HIV/AIDS](#)

## DOCUMENTATION

- 23.38 The Zimbabwean Ministry of Home Affairs website, accessed 12 June 2009, provides information regarding the initial registration of births, general registration, fees, processing times, and how to obtain copies/ urgent copies. [18a]

The following link contains information about birth and death certificates.  
[http://www.moha.gov.zw/index.php?link=rq\\_death\\_births](http://www.moha.gov.zw/index.php?link=rq_death_births)

Please see [Forged and fraudulently obtain documents](#) for more information about various official documents and forged and fraudulently obtained documents.

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## 24. TRAFFICKING

24.01 The US State Department's *Trafficking in Persons Report 2009*, (USSD TIP Report 2009) dated 16 June 2009, placed Zimbabwe in tier 3. In effect, there are four tiers, 1, 2, 2 (watch list) and 3. Tier 3 is a further deterioration on last year's report that placed Zimbabwe in Tier 2 (Watchlist). The US State Department defined tier 3 as: "Countries whose governments do not fully comply with the minimum standards and are not making significant efforts to do so." [2e]

24.02 The report went on to note that:

"Zimbabwe is a source, transit, and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. ... The Government of Zimbabwe does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government made minimal progress in combating trafficking in 2008, and members of its military and the former ruling party's youth militias perpetrated acts of trafficking on local populations. The government's anti-trafficking efforts were further weakened as it failed to address Zimbabwe's economic and social problems during the reporting period, thus increasing the population's vulnerability to trafficking within and outside of the country." [2e]

24.03 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, noted that:

"Trafficking was a serious problem. NGOs, international organizations, and governments in neighboring countries reported an upsurge in Zimbabwean emigrants facing conditions of exploitation. Rural children were trafficked into farms or cities for agricultural labor, domestic servitude, and commercial sexual exploitation, often under the false pretences of job or marriage proposals, according to one NGO. Reports suggested that those children in desperate economic circumstances, especially those in families headed by children, were most at risk. Women and children were reportedly trafficked for sexual exploitation in towns along the borders with the four neighboring countries. In recent years, women and girls were lured to South Africa, China, Egypt, the United Kingdom, Canada, and Zambia with false employment offers that resulted in involuntary domestic servitude or commercial sexual exploitation. Women and children from the Democratic Republic of the Congo, Malawi, Mozambique, and Zambia were trafficked through the country to South Africa. Small numbers of South African girls were trafficked to the country for forced domestic labor." [2b] (Section 5)

24.04 The USSD 2008 report continued:

"Traffickers were typically independent businesspersons who were part of small networks of local criminal groups that facilitated trafficking within the country, as well as into South Africa or other surrounding countries. Anecdotal reporting indicated that traffickers approached a potential victim, usually young women or girls, with the offer of a lucrative job in another part of the country or in a neighboring country. Many young men and boys were exploited by 'guides' when they attempted to cross the border illegally into South Africa to find work. Trafficked citizens often labored for months without pay in South

Africa before their 'employers' reported them to authorities as illegal immigrants. Traffickers often transported victims covertly across borders at unrecognized border crossing points. The use of child laborers, especially as farm workers or domestic servants, was common in the country, often with the complicity of family members.

"The government demonstrated interest in combating trafficking; however, it did not devote sufficient resources to investigating and prosecuting cases.

"The primary government authority to combat trafficking was the ZRP which relied on NGOs to alert them to cases. During the year some traffickers were arrested, but none of the arrests resulted in prosecutions. The Interpol National Central Bureau Zimbabwe's 'antitrafficking desk' was staffed with ZRP officers who assisted with international investigations.

"There were reports suggesting that corruption in law enforcement, especially at the local level, directly or indirectly facilitated trafficking. The government took steps during the year to educate and train officials to combat trafficking. Government officials attended International Organization for Migration (IOM) seminars on trafficking during the year. IOM held numerous sector-specific training workshops during the year: four for law enforcement, three for social services professionals, three for faith-based organizations, and three for health and hygiene officials." [2b] (Section 5)

24.05 The USSD 2008 also noted that, with regards to protection:

"Although the government lacked resources to provide protective services on its own, the police Victim Friendly Unit, social services, and immigration officials utilized an established process for referring victims to international organizations and NGOs that provided shelter and other services. The government coordinated closely with the IOM-run migrant reception center in the town of Beitbridge on the border with South Africa, which provided social and reintegration services to the large number of illegal migrants repatriated from South Africa. In May IOM opened a second reception center in the town of Plumtree on the border with Botswana on government-allocated land.

"Victims suffering from child or domestic abuse were treated with special procedures in victim-friendly courts, and trafficked persons had the option to take cases before such courts. Local immigration and social services officials referred trafficking victims to NGO-funded centers. Save the Children Norway also offered shelter and referrals for medical attention at the IOM reception centers in Beitbridge and Plumtree for unaccompanied children and trafficking victims.

The government-run media prominently featured articles about trafficking in persons, and the government had prevention programs to provide alternatives for children at risk. The government also continued to cooperate with the IOM and Interpol in a public awareness radio campaign in five languages that led to the identification of several victims during the year. In December the IOM and local NGO Oasis Zimbabwe launched an antitrafficking hotline." [2b] (Section 5)



24.06 And with regard to prevention, the USSD TIP Report 2009 noted that:

“The government did not conduct anti-trafficking information or education campaigns during the reporting period, and there remained a general lack of understanding of human trafficking across government agencies, especially at the local level. Senior government officials occasionally spoke, however, about the dangers of trafficking and illegal migration, and the state-run media printed and aired warnings about false employment scams and exploitative labor conditions. During the year, all four government-controlled radio stations aired an IOM public service announcement eight times each day in five languages during peak migration periods. The inter-ministerial anti-trafficking task force took no concrete action during the year. Anecdotal reports indicated that the worsening economy reduced the demand for commercial sex acts, though there were no known government efforts to reduce the demand for forced labor or the demand for commercial sex acts. Information was unavailable regarding measures adopted by the government to ensure its nationals deployed to peacekeeping missions do not facilitate or engage in human trafficking. Zimbabwe has not ratified the 2000 UN TIP Protocol.” [2e]

24.07 The BBC reported on 12 June 2009 that: “There is ... evidence that many girls are being targeted by child traffickers, save the Children’s country director Rachel Pounds says. They are thought to have plans to send young Zimbabwean girls to South Africa to feed the appetite of those attending next year’s football World Cup Finals.” [3aa]

See also [Children](#) and [Women, Prostitution](#)

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## 25. MEDICAL ISSUES

### GENERAL

- 25.01 The Solidarity Peace Trust report, *Walking a thin line*, published on 30 June 2009, noted that: “Zimbabwe’s indicators for access to health care have fallen dramatically during the last few years, impacting on life expectancy, maternal and child mortality rates, and prevalence of preventable diseases.” The report noted examples of “... people [who] had died avoidable deaths because of lack of access to health care, or had been unable to source essential drugs for blood pressure, diabetes, asthma and other common and controllable illnesses.” [65b] (p37-38)
- 25.02 IRIN, dated 5 August 2009, noted that:
- “Most of Zimbabwe’s public health centres closed last year as employees protested over poor salaries and working conditions during a severe cholera epidemic that began in August 2008 and claimed the lives of more than 4,200 people out of about 100,000 known cases. Public health facilities reopened in February 2009, when donors made money available for allowances that brought striking nurses and doctors back to work.” [10a]
- 25.03 The article continued, noting that, while there was a range of good private medical facilities in the country, most Zimbabweans were unable to access them, and there were reports of some Zimbabweans crossing the border to South Africa to access cheap or free treatment in the country’s public hospitals. [10a]
- 25.04 The States in Transition Observatory (SITO) report of May 2009 noted that the formation of the unity government had a number of positive outcomes for the health service with funding for various humanitarian issues, including healthcare, being promised by western nations. Even relatively poor neighbouring countries were reported to have pledged funding for essential services, with the Mozambique government reported to be donating “... medication to lift critical shortages in public hospitals and clinics.” [9b] (p5)
- 25.05 The World Health Organisation (WHO) in *Health Action in Crises* (published December 2008) noted that: “Average life expectancy has dropped from 65 in 1990 to 43 in 2006. Under-five mortality has increased from 76 per 1000 live births in 1990 to 82 in 2006. HIV/AIDS has fuelled a rapid growth in the number of orphans and vulnerable children, which have now reached over 1.3 million.” [97b]

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### Cholera epidemic

- 25.06 Human Rights Watch reported on 22 January 2009 that cholera, previously only seen in small numbers in Zimbabwe, developed into epidemic proportions from August 2008 as dire economic conditions in the country impacted on a lack of availability to clean water, sanitation and health services. [69g] (p17-18) The Economist Intelligence Unit reported in February 2009 that the cholera

outbreak was the "... deadliest cholera outbreak in Africa in 15 years ..." [24p] [p10]

- 25.07 On 9 June 2009 the World Health Organisation reported that by the time the epidemic was coming to an end, it had claimed well over 4,000 lives and over 100,000 had been infected since the start of the epidemic. [97a]
- 25.08 IRIN reported on 8 July 2009 that UNICEF had warned that without significant improvements to the country's water and sanitation services the risk of another cholera epidemic was significant. UNICEF pointed out that a lack of clean water had been one of the main causes of the 2008/9 outbreak, and the organisation noted that little had been done to improve supply and access to this resource. [10j] On 21 October 2009, *The Times* reported that as the rainy season was beginning and first cases of a cholera outbreak, which aid agencies predicted as inevitable, were confirmed. The report noted that in the month to 21 October, the Health Ministry reported 117 cases of cholera and five deaths. However, it was also noted that while the another epidemic was likely, the levels of infection and death were likely to be lower than during 2008/9 "as a result of a big operation to provide massive quantities of water purification tablets, boreholes, huge communal water tanks and narrow-necked water containers (to limit the spread of the bacteria) to make drinking water safe.". [82d]

## HEALTH CARE FACILITIES

- 25.09 The Solidarity Peace Trust report, *Walking a thin line*, published on 30 June 2009, noted that:

### **"Costs of health care: official**

"The tariffs following in this section are those confirmed by the Ministry of Health on 11 February 2009.

"According to the existing policies and tariffs, FREE services are provided for:

- "all patients at rural clinics
- children under five
- pregnant mothers, although only those referred to a hospital can deliver there free.
- patients over 65
- TB, epilepsy and psychiatric cases
- for chronic cases, consultation includes free drugs

"In a district/general hospital:

- an adult consultation is USD 4 and a child over five years is USD 1
- a medical examination is USD 4
- prescribed medicines are available at a maximum cost of USD 2 per course
- X rays and laboratory tests are available at a maximum cost of USD 2

"However, it is clear that over the last year, health care has NOT been free in many rural health centres in spite of this being the policy, and many services supposedly available for free or at minimal cost are not available at

government hospitals and have to be sourced through the private sector at huge expense. The collapse of services has meant that those with chronic conditions such as high blood pressure, asthma, kidney problems or diabetes, have not been able to access their drugs free through clinics, and if they have not been able to afford them from elsewhere ..." [65b] (p42)

- 25.10 Amnesty International noted on 21 November 2008 that there were dangerous shortages in all areas of the health care system. A shortage of drugs and medical supplies compounded serious problems caused by Zimbabwe's dilapidated health care infrastructure and brain drain. The country's main referral hospitals were reported to be "barely functioning" and hospital wards had been closed across the country. "As a result, ordinary Zimbabweans are unable to access basic health care." [14h]
- 25.11 The US State Department's *Consular Information Sheet – Zimbabwe*, updated on 1 April 2009, noted that medical facilities were extremely limited, stating that:
- "The public medical infrastructure has effectively crumbled and medical facilities are extremely limited. There have been several instances where American citizens facing life-threatening illnesses or injuries have been turned away from hospitals because there were not sufficient beds or medical supplies available. Most serious illnesses or accidents require medical evacuation to South Africa. All travellers are strongly urged to obtain medical evacuation insurance coverage prior to arriving in Zimbabwe. Doctors, hospitals and air ambulance medical evacuation services often expect immediate cash payment for health services. Travellers are urged to carry an ample supply of prescription and other medications, as they will not likely be available in Zimbabwe. Provincial hospitals in rural areas, if still operating, have rudimentary staffing, equipment, and supplies, and are not equipped to provide medical care in case of a serious accident. The fuel shortage further diminishes emergency response capabilities. Emergency patients often must arrange their own transportation to medical facilities." [2g] (p8-9)
- 25.12 The BBC reported on 9 June 2009 that the poor state of the country's health care service continues to be broken with little or no funding. A BBC journalist, travelling undercover, reported that the equipment in a hospital that he visited "... was in some way broken, missing or collapsed." Reporting on another healthcare facility, a small clinic in Victoria Falls, the journalist went on to note that: "... I had just finished asking a nurse a string of questions about what provisions they had for patients. Did they, I asked, have bandages, food, drugs, ambulances, phones and sheets? All these questions were answered with a resounding 'no'. I then enquired whether there was anything the clinic did have." The answer was also no. [3k]
- 25.13 *The Times*, on 11 January 2009, provided examples of treatment prices introduced by the government in the public health sector "... including US\$70 (£50) for an overnight stay in hospital. A caesarean will cost US\$130 and parents of premature babies will be charged \$5 a day for an incubator." The article went on to state that: "Cancer patients will have to find hundreds of dollars for radiation and chemotherapy." [82ae]

## PRIVATE HEALTH CARE FACILITIES

- 25.14 Information about private medical facilities in Zimbabwe is limited; however, IRIN reported on 5 August 2009 that: "Private hospitals in Zimbabwe still maintain high standards, but at a premium ..." As an example of costs, the article reported that the private costs of employing a gynaecologist, paediatrician, and anaesthetists alone would amount to US\$3,500 before the cost of food, drugs and accommodation is added. [10a]
- 25.15 The International Organisation for Migration (IOM) in Ireland noted (accessed 25 September 2009) that: "There are a wide range of health facilities in Zimbabwe from General Practitioners (GPs) and specialists to public and private hospitals and clinics. Facilities are clean and modern practices are used. Medication can be sourced from pharmacies that are found across the country." [105a]
- 25.16 Zimbabwe has a number of private hospitals, the two main hospitals in Harare are the Avenues Clinic and St Anne's Hospital (US State Department, accessed 23 September 2009) [2f] (St Anne's Hospital, accessed 22 September 2009) [64a]. There is also the Baines Imaging Group, that is able to provide a range of services including: radiology, ultrasound, CT Scan and mammography's. (Baines Imaging Group, accessed 23 September 2009) [68a] Combined, the Avenues Clinic and St Anne's Hospital provided the following treatments:
- Oncology (cancer diagnosis/treatment),
  - General surgery,
  - Urology (Urinary tract, including kidneys),
  - Orthopaedic surgery,
  - Paediatrics,
  - Neurology and Neurosurgery,
  - Radiology,
  - Gynaecology,
  - Cardio-thoracic surgery (heart and lungs),
  - Ear, nose and throat surgery,
  - Pharmacy. (St Anne's Hospital, accessed 22 September 2009) [64a]
- 25.17 A report in the *The Standard*, dated 5 September 2009, noted that private hospitals in Zimbabwe were able to offer renal dialysis treatment at around US\$160 per session. It is recommended that renal patients attend at least four sessions per month. [70a]
- 25.18 Two sources noted the existence of renal (kidney) dialysis in Zimbabwe. Both *The Herald*, dated 7 September 2009, and *The Standard*, dated 5 September 2009, reported that hospitals in Bulawayo and Harare, including private medical facilities, and had dialysis machines. However, the sources reported that access was limited because of demand and the low number of machines in the public sector. [30c] [70a]

See [Economy](#) for information about average income and Health care professionals below.

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## HEALTH CARE PROFESSIONALS

- 25.19 The World Health Organisation (WHO) in *Health Action in Crises* (published December 2008) noted that: "Staff shortages are critical: 56%, 32% and 92% of doctor, nurse and pharmacist positions are vacant. Brain drain due to poor salaries and working conditions is compounded by qualified personnel being either chronically ill or deceased due to HIV/AIDS." [97b] (p2)
- 25.20 *The Times* reported, on 11 January 2009, that the crisis in the public health care system, caused by the collapse in the economy, was "... affecting even private hospitals. Doctors are paid in local currency worth less than US\$10 a month and have stopped coming to work." [82ae]

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## ACCESS TO DRUGS

- 25.21 The Solidarity Peace Trust report, *Walking a thin line*, published on 30 June 2009, noted that: "UNICEF is making deliveries to hospitals and health facilities around the country, which is alleviating the situation. Nationally, the health services have reported that the drug situation has improved from almost zero to around 40% of drug needs – which means that there is still a 60% shortfall." [65b] (p48)
- 25.22 The World Health Organisation (WHO) in *Health Action in Crises* (published December 2008) noted that: "Most clinics and hospitals throughout the country have either run out or are extremely low on their stocks of essential medicines ..." [97b] The International Crisis Group reported on 16 December 2008 that there was an "... acute shortage of drugs, medical equipment and running water." [100g] (p8)
- 25.23 The US Embassy in Harare noted on its website (accessed on 8 June 2009) that there are many good pharmacies in Harare. The website provides contact details for a selection of pharmacies: Avondale Pharmacy: Avondale Shops, Harare. Tel: 263-4-336642; Chisipite Pharmacy: Chisipite Shops, Harare. Tel: 263-4-494052/497017; Lemon Pharmacy: Avondale Shops, Harare. Tel: 263-4-302755; QV/Baines: 60 Baines Avenue, Harare. Tel: 704020; Shamrock: Avondale Shops, Harare. Tel: 336730/339339. [2d] However, the US State Department's *Consular Information Sheet – Zimbabwe*, updated on 22 October 2009, urged travellers to "... carry an ample supply of prescription and other medications, as they will not likely be available in Zimbabwe." [2g] (p8-9)
- 25.24 However, the BBC reported on the 17 May 2006 that even where drugs were available, there was information to suggest that patients who did not carry ZANU-PF membership cards were refused medication at government-funded public hospitals. [3ah]
- 25.25 The Solidarity Peace Trust report, *Walking a thin line*, published on 30 June 2009, noted that since the formation of the government of national unity, most international financial support for the country has been confined to humanitarian assistance with "... funding for essential drugs and retention allowances for health workers ... a particular priority." [65b] (p17)



## HIV/AIDS

### OVERVIEW

- 25.26 An estimated 1.3 million Zimbabweans are living with HIV and AIDS; this figure represents a reduction in the prevalence rate which is now believed to be around 15.6 per cent of the total population. Over 140,000 people die from AIDS related illnesses every year. (AVERT, Sub Saharan HIV & AIDS Stats, updated 23 October 2009) [19b] The World Health Organisation (WHO) in *Health Action in Crises*, published December 2008, noted that: "A third of the 340,000 people requiring anti-retroviral treatment (ART) are receiving it, compared to 5,000 in 2004." [97b]
- 25.27 On the issue of prevalence rates, Voice of America noted on 24 August 2009 that: "Some Zimbabwean health experts and advocates ... have taken issue with a recent study suggesting the country's deep economic crisis helped reduce the HIV prevalence rate ... [by] ...discouraging risky behaviour in particular by men ..." The critics of the study pointed out that the survey sample was too small and was unrepresentative. Increased deaths are thought to have had a large impact on the decline in the prevalence rate. [83c] AVERT noted on 26 October 2009 that "... caution should be taken when interpreting the data available ... Given the large number of homeless and displaced people living in Zimbabwe who are not likely to have been surveyed, the results cannot be taken as wholly representative of the situation. A rise in the number of people dying from AIDS is thought to have played a role in the decline, as well as an increase in the number of people ... who have migrated to other countries." [19c]
- 25.28 The US President's Emergency Plan for AIDS Relief reported in the 2008 Country Profile: Zimbabwe, that: "Zimbabwe continues to suffer a severe socioeconomic and political crisis, including unprecedented rates of inflation and a severe 'brain drain' of Zimbabwe's health care professionals. Elements of a previously well-maintained health care infrastructure are crumbling. Zimbabwe's HIV crisis is exacerbated by chronic food insecurity. Sub-optimal nutrition increases the vulnerability of individuals with compromised immune systems to life-threatening opportunistic infections, such as tuberculosis." [79]
- 25.29 *The Standard* reported on 7 March 2009 that even where Zimbabweans were able to access ARV medication, many die because of an inability to afford an adequate diet. The Zimbabwe HIV and AIDS Union reported that Zimbabwe's food crises has resulted in many Zimbabweans deciding to stop taking ARVs because the drugs were painful to take on an empty stomach. [20c]

### Availability of treatment

- 25.30 The World Health Organisation (WHO) in *Health Action in Crises* (published December 2008) noted that over 100,000 people were receiving anti-retroviral treatment (ART), which was a significant rise from the 5,000 in 2004. [97b] However, the Department for International Development noted in its 'Zimbabwe: Major Challenges' document (accessed 2 June 2009) that "... Zimbabwe has more people living with AIDS without access to treatment than any other country." [45a]

- 25.31 *The Standard* reported on 7 March 2009 that many Zimbabweans were unable to access ARV medication because they were firstly unable to afford a CD4 Cell Count. The CD4 Cell Count measures the strength of the immune system and "... determines whether or not, a person living with HIV is put on life prolonging Antiretroviral Drugs (ARVs) and at what stage." HIV/AIDS activists are campaigning for the new unity government to provide CD4 Cell Counts to Zimbabweans at no cost. [20c] *The Standard* reported on 18 July 2009 that: "AIDS activists have warned that thousands of people suffering from the disease are dying prematurely because they cannot access CD4 count machines to determine their requirements for anti-retroviral therapy. ... CD4 count machines, which determine the strength of the immune system and readiness to begin ARV therapy have not been available at most referral hospitals after they broke down several months ago. Equipment to monitor the liver function and the amount of the HI-virus in the blood is also reportedly out of order." However, the report went on to note that while accessing CD4 tests in public hospitals was proving difficult in some areas, private clinics were able to provide CD4 and liver function tests and ARVs for a fee. A CD4 count test in a private hospital costs between US\$25-35. [70f]
- 25.32 IRIN PlusNews recorded 19 HIV organisations in Zimbabwe providing assistance to people with HIV/AIDS. (IRIN PlusNews – Country Profile: Zimbabwe, 2009) [10bm]  
The following link provides details of these organisations – <http://www.plusnews.org/profiletreatment.aspx?Country=ZW&Region=SAF>
- 25.33 The World Food Programme noted in its 'Food Security: Overview', updated in 2009, that it continued to "Promote universal access to the care and treatment of diseases such as HIV/AIDS and tuberculosis through Health-based Safety-Net Activities such as home-based care and food assistance to people on anti-retroviral treatment;" [54c]

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### **Cost and availability of ARVs**

- 25.34 Continuing severe economic conditions has resulted in an uneven distribution of ARVs across Zimbabwe. A senior representative of the Department for International Development (DFID), based in Harare, reported on 12 July 2007 that while "...there have been serious shortfalls and interruptions in ARV availability donor partners have worked with the MOHCW [Ministry of Health and Child Welfare] and NAC [National AIDS Council] to build some insulation from the ad hoc drug supply with some success." From July/August 2007 supplies of ARVs will become more consistent [45d] as funding of US\$47 million will be disbursed through a mutli-donor pool over the next three years. [45c]
- 25.35 Private pharmacies appeared to stock most drugs (see paragraph 26.23 above for details of private pharmacies), even the most expensive combinations. While the government was making limited amounts of ARVs available to the general population, there were reports that "... HIV-positive ZANU-PF officials [were] receiving preferential treatment at public clinics and siphoning off drugs meant for public use for their own purposes." (Zimbabwejournalists.com, 22 April 2007) [50d] *The Standard* reported on 18

July 2009 that ARVs were easily available through the private health care system. [70f]

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## Women and children

25.36 Avert.com (updated 26 October 2009) noted that:

“In Zimbabwe, more than 17,000 children are infected with HIV every year, the majority through mother to child transmission. As with VCT [Voluntary Counselling and Testing], the provision of services to prevent the transmission of HIV between mothers and their children during pregnancy is gradually being scaled up. The prevention of mother-to-child transmission (PMTCT) pilot programme was launched at four sites in 1999 and today the programme is nationwide. It aims to provide pregnant women with free VCT and give them access to nevirapine, a drug that significantly reduces the chances of transmission occurring.

“The provision of drugs to prevent MTCT rose from 4% in 2006 to 29% in 2007. Although this is an encouraging scale-up, the provision of PMTCT services remains severely limited by a lack of funding, and access to nevirapine remains low. Around 120,000 children are living with HIV in Zimbabwe, most of whom became infected through mother-to-child transmission. AVERT is calling for rapid improvements in PMTCT in our Stop AIDS in Children campaign.” [19c] (p5)

25.37 Behind the Mask, reported on 13 June 2008, that:

“It is generally agreed that lesbians are at least risk of contracting HIV if they remain within exclusively lesbian relationships. However, because of gross generalisations within the HIV and AIDS movement relating to lesbian sexual behaviours, African lesbians are placed on the lowest rung when it comes to risks associated with acquiring or transmitting the HIV virus. ...In Zimbabwe, where women do not enjoy control over their bodies or their sexuality and are forced into marriages and into having children, lesbians are put at the same high risk of contracting HIV as their heterosexual counterparts.” [92g]

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## MENTAL HEALTH

25.38 The WHO Mental Health Atlas – 2005 (accessed on 2 February 2009) states that:

“The mentally ill are entitled to free health services. The country has disability benefits for persons with mental disorders. Details about disability benefits for mental health are not available. Mental illness falls under the category that qualifies for tax credits. ... Primary health care workers have the capacity to handle patients with severe psychosis and refer only those that they feel require specialized services. Most of the rural and district hospitals do not

have facilities for inpatient care and only 17 district, provincial and central hospitals have primary care teams.”

With regard to community care facilities the report noted that “There is a shortage of material and staff to sustain the community care programme.”

[Refer to the source document for a list of commonly available psychiatric drugs; however, please note that there is currently a shortage of all drugs due to the lack of foreign currency.] [97c]

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## 26. HUMANITARIAN ISSUES

### OVERVIEW

- 26.01 The Solidarity Peace Trust report, *Walking a thin line*, published on 30 June 2009, noted that:

“On the humanitarian front, Zimbabweans have been battered by the total collapse of the economy over the last decade, and by the rampant inflation of the last year. Basic services such as health and education almost ceased to function at any level by the end of 2008, with Medicins Sans Frontieres (MSF), UNICEF and the International Committee of the Red Cross (ICRC) having to step in to curb the biggest cholera outbreak in Africa in fifteen years. 2008 ended with schools closed, with stores once more empty of essential goods, and with five million Zimbabweans surviving on donor food. The pressure of the humanitarian crisis was a major factor in forcing the MDCs to enter into the GPA ...” [65b] (p20)

- 26.02 Human Rights Watch reported on 31 August 2009, that:

“To its credit, the power-sharing government has managed, with assistance from international donors and aid agencies, to bring Zimbabwe’s serious humanitarian crisis under control and somewhat stabilize the country’s economic situation through a range of new policies, as set out in the Short-Term Emergency Recovery Programme (STERP). These measures have helped ease the harsh socio-economic situation of Zimbabwe’s most vulnerable communities, especially as regards access to food and containing the cholera outbreak, which at its peak infected more than 100,000 people and claimed more than 4,200 lives.” [69f] (p3)

### LAND REFORM

- 26.03 The Economist Intelligence Unit’s Zimbabwe Country Profile 2008, dated 9 May 2008, noted that:

“Land has always been a central and controversial issue in Zimbabwe because of highly skewed distribution. Until 2002 about 30% of agricultural land was covered by around 4,500 commercial farms, which were mainly white-owned. Acute land pressure in the communal areas, brought about by high population growth rates coupled with the need to correct a historical injustice, has made land redistribution a pressing issue. However, it has really only been raised as an issue for political reasons, notably the president’s waning popularity since 1999.” [24e] (p15)

- 26.04 The United Nations report of *Operation Murambatsvina*, published on 18 July 2005, placed the question of land redistribution into an historical context, noting that:

“President Mugabe’s own contribution to South Africa’s independence is especially important. Apparently, had it not been for South Africa’s liberation, land acquisition might have come much earlier in Zimbabwe and independently of MDC politics. However, President Nyerere of Tanzania is reported to have prevailed over this issue, arguing that ‘a forced land take

over in Zimbabwe would forever jeopardize the South African liberation project and that Zimbabweans must wait before they could get back their land'. With Nelson Mandela free, South Africa out of Apartheid and with promised donor assistance to buy back the land not forthcoming, a forced acquisition of land in Zimbabwe was inevitable." [25] (p18)

- 26.05 The issue of land ownership was addressed in the power sharing deal signed by ZANU-PF and the MDC on the 15 September 2008. The agreement states that:

"Recognising that colonial racist land ownership patterns established during the colonial conquest of Zimbabwe and largely maintained in the post independence period were not only unsustainable, but against the national interest, equity and justice.

"Accepting the irreversibility of the said land acquisitions and redistribution.

"Noting that in the current constitution of Zimbabwe and further in the draft constitution agreed to by the parties the primary obligation of compensating former land owners for land acquired rests on the former colonial power.

"The parties hereby agree to:

- conduct a comprehensive, transparent and non-partisan land audit, during the tenure of the seventh parliament of Zimbabwe, for the purpose of establishing accountability and eliminating multiple farm ownerships;
- call upon the United Kingdom government to accept the primary responsibility to pay compensation for land acquired from former land owners for resettlement." (BBC News, 15 September 2008) [3aw]

- 26.06 However, in spite of the joint statement of intent, and the subsequent formation of the unity government, sources continued to report the invasion and seizure of farms. (Africa Research Bulletin (ARB), Volume 46 Number 4, dated 1st-30th April 2009) [76b] (17946) (States in Transition Observatory, April 2009) [9a] (p4-5)

- 26.07 In an attempt to help find a solution to the land issue, the European Union (EU) announced in October 2009 that it was willing to fund a land audit to establish an up to date picture of ownership and production in the country. The *Turkish Weekly*, reporting on 10 October 2009, noted that "Lands Minister, Herbert Murerwa, recently said an audit, called for by the 2008 Global Political Agreement for power sharing, would cost 30 million dollars, so the initiative could not be launched. But EU Ambassador Xavier Marshal told a meeting in Harare Thursday that Europe would fund an inclusive, transparent and comprehensive land audit." [101a]

Also see [Ethnic Minorities: Whites](#)



## Recent Land Confiscations

- 26.08 The Human Rights Watch report *False Dawn*, published on 31 August 2009, reported that it had  
 "... documented scores of illegal attacks on commercial farms since the power-sharing government took office.

"The vast majority of farm invasions were led by people with close links to ZANU-PF or by those holding senior positions within the party or government. They have used violence and threats of violence to forcibly evict sitting owners from their properties.

"The invasions typically disregarded due process of law, which stipulates that the only lawful method of removing a sitting occupier from his land is by a valid eviction order from the courts. In addition, any such order must be enforced by someone with the properly designated legal authority, usually a deputy sheriff or a messenger of court.

"The power-sharing government acknowledged the problem of farm invasions and announced a ministerial fact-finding team, led by Deputy Prime Minister Arthur Mutambara, to investigate. The team visited a few farms in Mashonaland West province and ordered farm invasions to end. However, the ZANU-PF-aligned invaders ignored that directive. As of August 2009, violent farm invasions by those with affiliations to ZANU-PF continue. In open defiance of both the political directive and the rule of law, the owner of Mount Carmel farm, one of the farms that the ministerial fact-finding team visited, was forcibly evicted from his farm soon after the ministerial team had left. No arrests have yet been made. Police have refused to investigate or take any effective steps against the invaders, either to arrest them or to protect farm owners." [69f] (p11-12)

- 26.09 The Institute for the Democratic Alternative for South Africa's group, States in Transition Observatory, noted in a report, Zimbabwe Government of National Unity Watch (SITO Report) April 2009 that: "White owned farm invasions led by ZANU-PF supporters continue despite calls from Prime Minister Morgan Tsvangirai for an immediate end to the attacks. President Robert Mugabe continues to condone the invasions across the country, saying that the land reform will proceed despite the GPA [Global Political Agreement]." The fresh wave of farm invasions is likely to cause a further drop in maize (the country's staple crop) production by up to 5 per cent. [9a] (p4-5)

- 26.10 The International Crisis Group (ICG) reported on 20 April 2009, that: "Continuing efforts by ZANU-PF supporters to displace the few hundred remaining white farmers ..." is having a negative impact on the MDC's authority while also exacerbating the continuing food crisis. [100a] (p9)

- 26.11 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, noted that:

"Disruptions at farms and seizures of property increased and were sometimes violent. Under a government moratorium introduced in January 2007, farmers were given temporary extensions to continue growing crops and to allow for a gradual 'wind down' of operations, including harvesting and selling crops. The

government in almost all cases took no action to define the period of extension. ...

"In December 2007 the Southern African Development Community (SADC) Tribunal in Namibia, in its first decision since its establishment in 2000, ruled in favor of Michael Campbell, who was contesting the compulsory government acquisition of his farm. The tribunal was set up to ensure that SADC member states, including Zimbabwe, adhere to the SADC treaty and protocols, protect the rights of citizens, and ensure the rule of law. According to the protocol establishing the tribunal, a person can bring a case after exhausting all available remedies or when unable to proceed under domestic jurisdiction. Campbell brought the case to the tribunal after the Supreme Court in Zimbabwe failed to issue a judgment on the case. The tribunal issued an interim protective order, which prohibited the government from evicting or allowing the eviction of or interference with the farm, its owners, employees, or property pending a decision by the tribunal on the issue of the legality of the contested expropriation; government representatives told the three-member tribunal it would abide by the decision.

"However, on January 22, the Supreme Court issued a judgment dismissing the Campbell case. Soon after the ruling, Minister Mutasa declared that the country would only be bound by its laws and decisions of its superior courts.

"In April the SADC tribunal ruled that more than 70 white farmers who had been evicted from their land could remain on their property pending a hearing on their joint application on May 28; their cases effectively joined the Campbell case that was still pending before the tribunal. On June 29, a group of 20 war veterans abducted and assaulted Michael Campbell and members of his family; they were hospitalized for their injuries. The perpetrators also looted the Campbell home and stole their car. On July 18, the tribunal reaffirmed the injunction, condemning the government's recent land seizures, and turning the issue over to the SADC summit for further action. However, the government asserted that it would move forward with prosecutions of the farmers who remained on the land, effectively dismissing the tribunal's authority.

"On November 28, the SADC tribunal ruled in favor of the 79 farmers in the Campbell case, finding that by barring titleholders from being heard in Zimbabwe's courts, the government violated its undertaking to SADC to uphold the rule of law; the farmers were discriminated against on the basis of race; and the government should compensate three dispossessed landowners by June 30, 2009. Although the tribunal ordered Zimbabwe not to interfere with any applicant still on his or her land or in possession of it when applying for relief, in December the government continued prosecutions of farmers for remaining on state-confiscated farms." [2b] (Section 1f)

26.12 The *Turkish Weekly*, reporting on 10 October 2009, noted that:

"... ZANU-PF hardliners are pushing for the Cabinet to adopt a plan that would see the few remaining white commercial farmers driven from their property within a few months.

"Earlier reports suggested the draft submitted by Lands Minister Murerwa would recommend that the farmers be given two years to vacate. But sources say the draft calls for continued land seizures and says no foreigner should be

allowed to own land in the country. ...It is estimated that fewer than 300 white farmers remain on the land. The General Agriculture and Plantation Workers Union of Zimbabwe has estimated that more than 66,000 farm workers have been left homeless since February due to continued invasions.” [101a]

- 26.13 A number of sources reported that violent farm invasions continued despite the formation of the government of national unity. SW Radio Africa noted on 8 October 2009 that there were a number of reports of “serious sexual violence” having taken place during a recent farm invasion, with at least one report of rape by a soldier involved in the farm seizure. [53e] Sky News, also reporting on 8<sup>th</sup> October, noted that other farm evictions were conducted under the threat of violence, noting that: “In the past eight months, 80 [white farmer] have been evicted by force, and scores more have been threatened. ... Some 172 incidents of violence were recorded in August alone.” The article notes that: “The scale of the assaults is reminiscent of the violence at the start of the decade when Mr Mugabe's disastrous land reform programme began.” [102a] Both news reports noted that the police declined to intervene to stop the illegal farm invasions. [53e] [102a]
- 26.14 *The Times* reported on 11 October 2009 that the home of white farmer, Ben Freeth and his family, who had resisted ZANU-PF attempts to invade his farm since 2004, was reported to have been burnt down. Mr Freeth, whose family have suffered continuous attacks, was reported to have travelled to Washington DC to lobby President Obama to put further pressure on President Mugabe to stop the farm invasions. [82c]
- 26.15 There were continuing stories of farm invasions during October, as further disputes over land ownership turned violent. *The Standard* reported on 31 October 2009 that a “... wrangle involving a Reserve Bank deputy governor and a Chinhoyi commercial farmer turned bloody last week after a man shot and seriously injured five workers and assaulted several others. “ The report noted that, as has become the norm, police failed to react to the incident and denied any knowledge of it. In recent months, 153 farmers have “... been hauled before the courts for allegedly refusing to vacate their farms. A total of 12 farmers and 34 workers have been convicted to date, heightening insecurity in the agricultural sector countrywide.” [70e] SW Radio Africa reported on 2 November 2009 that the police only became involved in the dispute after one of the invaders was set upon by farm workers in retaliation for the shooting of five co-workers. The police reportedly arrested 6 farms workers on charges of “inciting public violence”. [53h]

For recent developments on land reform/evictions see [Latest news](#)

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## FOOD SHORTAGES

26.17 The International Crisis Group (ICG) reported on 20 April 2009, that:

“The food situation remains dire, with some seven million people reportedly having required aid to survive in recent months and humanitarian agencies forced to halve cereal rations to extend stocks due to donor shortfalls. While formerly empty shelves have started to fill again since the currency reform, the number of shoppers with access to foreign currency remains limited, and many basic goods are still out of reach of the poor. Most households have reportedly reduced the frequency of meals, while 12 per cent go entire days without eating. The government estimates that two million tons of maize and some 500,000 tons of wheat per year are required to feed the population, and only about one-fifth of the requirements are on hand. ZANU-PF is believed to still divert food and distribute it on a partisan rather than strict need basis.”  
[100a] (Overview & p9)

26.18 Human Rights Watch reported on 22 January 2009 that Zimbabwe is suffering from the worst “... food shortages since 2000 when the Mugabe government embarked on a violent and illegal program of land seizures. ... Food output in Zimbabwe has deteriorated drastically in the past year. The UN World Food Program (WFP) estimates that maize production in 2008 was ... 28 percent below 2007’s historically low level.” In addition Hyper-inflation “... has eroded the capacity of families to access the little food available on the market, an especially acute problem for people living in urban areas with no access to land.” [69g] (p10 - 11)

26.19 The World Food Programme (WFP) reported on 30 January 2009 that it was expecting to provide food “... assistance to 5.1 million people across Zimbabwe in February – the highest number of people in a single month since the regional crisis began in 2002.” However, because of increased demand and low stocks of food, the WFP stated that it would be reducing rations so that all who required help would receive assistance. It also noted that “... three US sponsored NGOs that also distribute food assistance in Zimbabwe – will assist another 1.8 million beneficiaries – taking the total of planned beneficiaries to around 7 million in both February and March 2009 ...” nearly 60 per cent of the population. [7a]

26.20 On the 29 January 2009 the BBC reported that “... the World Food Programme (WFP) has revised up the number of people it says need food aid. It now says seven million Zimbabweans are in need of food aid, up from 5.1 million in June. ... The agency is being forced to halve the cereal rations given to hungry Zimbabweans so that all the people in need can receive aid.” [3p]

26.21 The Institute for War and Peace Reporting noted on 15 July 2008 that: “Food shortages have led to high mortality rates of those suffering with HIV/AIDS with the report noting “...an upsurge in HIV/AIDs-related deaths... creating increasing numbers of orphans. Many people are returning from the cities to die at home in their villages. ...Aid agencies used to distribute high-protein, high-energy foods which kept opportunistic diseases at bay. Without those foods, people quickly succumb to illnesses,” he said. AIDS orphans and the elderly are the most vulnerable groups.” [77d]

- 26.22 While the supply of food has eased with the stabilisation of the economy through the legalised use of foreign currency. The Solidarity Peace Trust report, 'Walking a thin line', published on 30 June 2009, noted that: "...food security is already being undermined by the fact that families in rural Zimbabwe do not have any access to foreign exchange, meaning that they are being forced to pay school levies, bus fares and grinding mill fees with their meagre harvests. Bartering and the loss of able-bodied people to the Diaspora continue to impoverish rural Zimbabweans." [65b] (p23)
- 26.23 A report by the Solidarity Peace Trust entitled 'Gone to Egoli', dated 30 June 2009, found that remittances, far from providing a regular source of foreign exchange and food, was something that only a small proportion of Zimbabweans with family members in the diaspora, could count on. [65c] (p5) The report went on to note that poorer rural families were less likely to receive remittances than the urban middle classes. [65c] (p7)

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## POLITICISATION OF FOOD

- 26.24 Political bias continued to be a major issue in Zimbabwe. Amnesty International reported that political affiliation often dictated the treatment an individual received. (Annual Report, 7 August 2008) [14d] Reports of political bias in the distribution of food continued through 2008 and into 2009 with food distributions being run by the "... army, the Central Intelligence Organization, the police and district administrators. ... Those who were actually supporting the opposition were getting nothing because the CIO wanted to give ... grain directly to ... supporters ..." (Los Angeles Times, 26 September 2008) [66b] (International Crisis Group, 20 April 2009) [100a] (p9) (The Solidarity Peace Trust report, 30 June 2009) [65b] (p51)
- 26.25 Kubatana.net reported on 28 July 2005 that following Operation Murambatsvina, many people were moved out of the cities and were returned to their province of origin. On arrival, "They were taken to the Sabhuku (sub-chief), where they were more often than not asked for their ZANU-PF party card..." without which they were denied help and expelled into the wilderness. [55g] (p3) A report from ZimOnline, noted on 14 May 2007, that the renewed crackdown on the MDC has led to the deployment of CIO agents in southern, opposition supporting regions, of Zimbabwe. CIO agents were reported to have ordered village chiefs and headmen to compile lists of villagers who support and campaign for the opposition. Demands for these lists were accompanied with threats that individuals who continued to participate in supporting the MDC could be killed. [49bq]
- 26.26 Amnesty International (25 July 2007) documented "...the political manipulation of food aid, noting that food aid was often withheld from those who did not hold a ZANU-PF loyalty card, and was used in attempts to influence election results. In 2007 Amnesty International found that the manipulation of food distribution persists, particularly of GMB maize sold in rural areas." [14e] This was confirmed by the publication of the Zimbabwe Peace Project's 'Food Monitoring Report' that found that the vast majority of victims of politicised food aid were MDC supporters (around 70 per cent) although there were instances of ZANU-PF supporters being denied food. The report noted that:



“The major findings emanating from this report are that cases of discrimination on political party affiliation and participation in NGO activities abound in the food distribution process. In all provinces, distribution of food and seed from the Grain Marketing Board was the most polarised aid. Traditional leaders, councillors and community food committees mostly recommended by Zanu PF leaders orchestrated the removal of non-ruling party members from the list of beneficiaries. Beneficiaries were expected to chant ruling party slogans and to produce party affiliation cards before receiving food.” (Zimbabwe Peace Project, September 2007) [95a] (p4)

- 26.27 The Association of Zimbabwe Journalists reported on 8 June 2007 that the Central Intelligence Organisation (CIO) had deployed operatives to the MDC supporting region of Matabeleland South to monitor the activities of NGOs distributing food there. CIO officers were reported to be operating under the cover of various jobs and to have even infiltrated some NGOs. “Government is reportedly concerned that NGOs will meddle in politics and use food aid as a way of turning the people against ZANU-PF and government.” [50f]
- 26.28 Even after the formation of the government of national unit, the International Crisis Group (ICG) reported on 20 April 2009, that: “ZANU-PF is believed to still divert food and distribute it on a partisan rather than strict need basis.” [100a] (p9) The Solidarity Peace Trust report, *Walking a thin line*, published on 30 June 2009, noted that: “All districts [within Matabeleland] reported problems with political manipulation of access to maize, saying that only ZANU PF card-holders were able to buy maize from GMB. This included Bulawayo.” [65b] (p51) The States in Transition Observatory, noted in the report, Zimbabwe Government of National Unity Watch – October 2009 (dated 10 November 2009), that these practices continued, reporting that “... high numbers of villagers are being denied food by Zanu PF if they don’t renounce the MDC.” [9f] (p6)
- 26.29 A staff member working for the UK’s Embassy in Harare, confirmed on 10 June 2008, that food was being used to coerce hungry Zimbabweans to vote for the ruling party (Foreign and Commonwealth Office blog, 10 June 2008) and that ruling party supporters were exacting revenge against those suspected of having helped the MDC gain its parliamentary victory on 29<sup>th</sup> March. (Foreign and Commonwealth Office blog, 18 July 2008) [13n]

For recent developments on food security and food aid see [Latest news](#)

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## 27. FREEDOM OF MOVEMENT

- 27.01 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that, although the constitution provides for the freedom of movement and travel within and outside Zimbabwe, the Government restricts these rights in practice. The report continued:

“The constitution and law provide for freedom of movement within the country and foreign travel; however, the government restricted freedom of movement, foreign travel, and the rights of IDPs in practice. The government generally cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing assistance to refugees and asylum seekers, but interfered with humanitarian efforts directed at IDPs.

“During the year police continued to routinely erect roadblocks staffed with armed police in and around cities and rural districts, especially during election periods and before demonstrations and opposition meetings. In the inter-election period, in particular, security forces were deployed to strengthen roadblocks and border security. Security forces claimed that they were looking for criminals, smuggled goods, and food; however, in many cases, police arbitrarily seized goods for their own consumption.” [2b] (Section 2d)

- 27.02 Human Rights Watch reported on 9 June 2008 that following ZANU-PF's poor showing at the 29 March 2008 elections, its supporters had created 'no-go' areas across the country as party activists punish voters for voting for the MDC. The report noted: “ZANU-PF supporters and 'war veterans' have created 'no-go areas' across broad swathes of the countryside in the provinces of Mashonaland East, Mashonaland West and Mashonaland Central to prevent victims from leaving the provinces, and to prevent foreign journalists and local human rights organisations from reporting on the violence. They have placed barricades across roads leading to villages hit by the violence making the areas inaccessible.” A direct result of this has been that thousands of people are unable to flee the violence. [69e] (p39)

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## 28. INTERNALLY DISPLACED PEOPLE (IDPs)

- 28.01 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that:

“According to independent assessments, hundreds of thousands of persons remain displaced within the country as a result of government policies including state-sponsored election-related violence, land reform, and Operation Murambatsvina in 2005. Eight percent of citizens surveyed in mid-2007 said they had moved in the last five years because they were ‘asked to move.’ Nevertheless, the government denies an IDP problem exists. The government does not tolerate use of the phrase ‘internally displaced people’ and instead refers to ‘mobile and vulnerable populations’ (MVPs). The government’s campaign of forced evictions and the demolition of homes and businesses continued during the year.” [2b] (Section 2d)

- 28.02 The Foreign and Commonwealth Office noted in its annual human rights report, published on 26 March 2009, that:

“More than 36,000 were internally displaced in Zimbabwe during the election campaign of 2008. Farm invasions and takeovers, which affect the rights of thousands of farm workers as well as the owners, have continued throughout the year, becoming more frequent during and since the election period. In November, 120 households were ordered to demolish their ‘illegal homes in Victoria Falls.” [13a] (Displacements)

- 28.03 The USSD 2008 reported that:

“The government did not provide assistance to IDPs, established an NGO ban that forbid humanitarian agencies from assisting IDPs or conducting surveys to assess the scope of the problem, and refused to acknowledge that its policies had caused internal displacement. In August [2008], when violence levels in rural areas declined in the wake of political talks, many IDPs returned to or near their homes and were ‘fined’ in food, animals, or money by local ZANU-PF militias.” [2b] (Section 2d)

- 28.04 The United States Agency for International Development noted in a report dated 15 July 2008 that violence since the elections (held on 29 March and 27 June 2008) has

“...forced tens of thousands of Zimbabweans to flee their homes and villages. Most of these internally displaced persons (IDPs) have found temporary shelter with relatives and friends in towns and cities. Some IDPs have sought refuge in so-called ‘safe areas’, supposedly protected by negotiated security arrangements with government and United Nations (UN) agencies. However, state-sponsored militias are now even attacking these ‘safe havens’, sending victims running for their lives once again. With no one to turn to and no place to go, many Zimbabweans are opting to join millions of their countrymen who have fled to an uncertain fate in neighboring lands.” [84a]

- 28.05 Amnesty International reported on 22 July 2009 that it was concerned by reports coming out of Harare that thousands of settlers and traders faced renewed threats of eviction. “In July 2009 the Deputy Mayor of the Harare City

Council stated that the city authorities have considered evicting people from 'illegal settlements and market places to restore order'. The Deputy Mayor claimed that the targeted people were posing a health hazard and violating city by-laws. Most of the people at risk of forcible eviction were victims of Operation Murambatsvina ..." in 2005. [14c] A report published by the Combined Harare Residents Association, dated 7 August 2009, noted that the threat of eviction had been averted after representatives of Amnesty International, the Zimbabwe Congress of Trade Unions and other NGOs and civil society representatives met with officials at Harare City Hall. The Mayor and Deputy Mayor agreed to draw-up a new resettlement plan before moving forward with any evictions. [107a]

- 28.06 The International Organisation for Migration (IOM) reported on 20 November 2009 that in partnership with UNHCR, it would be implementing a "... new programme focusing on the provision of emergency life-saving material and protection assistance to internally displaced persons ..." numbering around 18,000 in Harare and Mashonaland Central. "The IOM will deliver services through its mobile health teams that are already servicing IDP populations whilst UNICEF will provide overall coordination to ensure timely and appropriate treatment reaches children suffering from acute malnutrition in the 11 highly food insecure districts." [51a]

### Operation Murambatsvina

- 28.07 On 18 July 2005, the United Nations (UN) published the findings of its fact-finding mission to Zimbabwe which found that Operation Restore Order or Operation Murambatsvina (meaning, "drive out rubbish") began on 19 May 2005. [25] (p7) International Crisis Group reported that: "Operation Murambatsvina (Restore Order) cost some 700,000 Zimbabweans their homes or livelihoods or both and otherwise affected nearly a fifth of the troubled country's population." (Zimbabwe's Operation Murambatsvina: The Tipping Point? 17 August 2005) [100c]

Please see the March 2009 update of the Zimbabwe Country Report (<http://www.homeoffice.gov.uk/rds/pdfs09/zimbabwe-260309.doc>) for more information about Operation Murambatsvina.

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## 29. CITIZENSHIP AND NATIONALITY

- 29.01 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that the Citizenship Act

“... requires all citizens with a claim to dual citizenship to have renounced their claim to foreign citizenship by January 2002 to retain their Zimbabwean citizenship. The act revokes the citizenship of persons who fail to return to the country in any five-year period. However, the High Court ruled in 2002 that this interpretation does not take into account the fact that a person is not automatically guaranteed foreign citizenship merely because their parents were born in a foreign country, as some countries require a person to confirm their citizenship, in which case they could be rendered stateless. It further held that it is incorrect to presume that when one has a parent or parents that are born out of the country they are citizens of the other country by descent. In addition, some countries, including in southern Africa, do not have a means to renounce citizenship. Independent groups estimate as many as two million citizens may have been disenfranchised by the law, including, those perceived to have opposition leanings, such as the more than 200,000 commercial farm workers from neighboring countries, and approximately 30,000 mostly white dual nationals.” [2b] (Section 2d)

- 29.02 However, correspondence from the UK Foreign and Commonwealth Office dated 2 October 2006, noted that they had consulted a respected lawyer in Harare who was of the opinion that: “Only those who had acquired their citizenship by registration can be deprived of it after 5 years continuous absence outside the country.” i.e. categories of citizenship obtained through “...birth or descent, cannot be deprived of their citizenship regardless of how long they remain outside the country.” [13g]

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### 30. FORGED AND FRAUDULENTLY OBTAINED DOCUMENTS

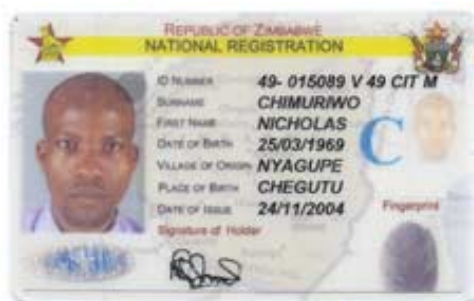
- 30.01 CNN reported on 22 November 2001 that the National Registration Act and the Criminal Procedure and Evidence Act make it compulsory for people to carry a national ID card, a passport or a driver's licence. People stopped without these documents are liable to a fine or a term of imprisonment. [8a]
- 30.02 The Zimbabwean Ministry of Home Affairs website, accessed 16 June 2009, states that non-citizens of Zimbabwe can obtain a Zimbabwean ID Card on production of a passport and a residence permit which is 6 months old. [18a]

The following link contains information about birth, marriage, death certificates, and travel documents.

[http://www.moha.gov.zw/index.php?link=rg\\_about](http://www.moha.gov.zw/index.php?link=rg_about)

- 30.03 ZimOnline, dated 29 November 2006, noted that the Zimbabwe Registry Office had stopped issuing metal ID cards and had replaced them with plastic, but that they "...had now stopped issuing even the plastic cards ..." because of a lack of resources. [49a] A report published by the Zimbabwe Election Support Network, dated 15 November 2007, appeared to note that plastic ID cards were still not being issued – possibly as a result of a continuing lack of resources. [19a]
- 30.04 The Foreign and Commonwealth Office reported on the 20 April 2009 that the word Alien on ID cards indicates that the holder is not a citizen of Zimbabwe, but is a non-Zimbabwean national living in the country. [13c]

An example of a Zimbabwe ID Card



(Zimbabwe Ministry of Home Affairs, accessed 16 June 2009) [108a]

- 30.05 Sources stated that most official documentation was obtainable through fraudulent means. Genuine, official documents, could be obtained either by payment of bribes to corrupt officials (Institute for War and Peace Reporting, 1 June 2007) [77b] (The Herald, 17 April 2009) [23d], or through unofficial contacts on the black market. (The Herald, 21 March 2007) [23h]
- 30.06 The Solidarity Peace Trust reported on 30 June 2009 that even where genuine documents are issued correctly, some public officials are demanding large amounts of foreign currency before handing them over. The report noted that one public official demanded 200 South African Rand (about £17) for a death certificate. [65b] (p22)

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### 31. EXIT/ENTRY PROCEDURES

- 31.01 In recent months Morgan Tsvangirai has called on Zimbabweans to return to Zimbabwe to re-build the country. [40a] Zimbabweans who had sought asylum in South Africa were reported by one source to be returning home in increasing numbers. [22a]
- 31.02 Reliefweb reported on 19 March 2009 that: “Zimbabwean professionals, many of them teachers, are coming home and seeking readmission into the public service, in response to a move by the country’s new inclusive government to pay civil servants in foreign currency and relax conditions for rejoining the sector. The influx is a response to calls from President Robert Mugabe and Prime Minister Morgan Tsvangirai for the more than three million exiles ... to return to Zimbabwe to help rebuild the country.” The report went on to note that during February 2009 over 80,000 Zimbabweans returned to the country from South Africa with most of them holding South African asylum permits. [22a]
- 31.03 On 8th May 2009 Prime Minister Morgan Tsvangirai, encouraged exiled Zimbabweans at a meeting in South Africa, to move beyond political divisions and help in the rebuilding of the country. Mr Tsavangirai stated that while Mugabe and ZANU-PF had been part of the problem, they were also part of the solution and asked Zimbabweans in exile to be prepared to reconcile their differences so that the country could be rebuilt. [40a]

Morgan Tsvangirai has made further appeals for Zimbabweans to return to Zimbabwe – please see [Latest News](#) for details. Details about conditions at Harare Airport can be found at the section on the [Central Intelligence Organisation](#).

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## 32. EMPLOYMENT RIGHTS

- 32.01 Freedom House reported in *Freedom of Association Under Threat*, dated 21 November 2008, that:

“The right to collective labor action is limited under the Labor Relations Amendment Act (LRAA), which allows the government to veto collective bargaining agreements that are deemed harmful to the economy. Although strikes are allowed in all but ‘essential’ industries, they require onerous notification and arbitration procedures and are often declared illegal. Managers in all sectors are prevented from striking. The 2005 Labor Amendment Act prevents public-sector employees from joining or forming unions or engaging in collective bargaining, though these restrictions are not enforced. All unions must register with the Ministry of Public Service, Labor, and Social Welfare.

“The independent Zimbabwean Congress of Trade Unions (ZCTU) has led resistance to Mugabe's rule and was a driving force behind the formation of the Movement for Democratic Change (MDC), the main opposition bloc. The ZCTU has consequently become a target for repression, and its members have been routinely harassed both inside and outside the workplace. In recent years, several hundred ZCTU members have been arrested at demonstrations and meetings, and in 2007, security forces raided ZCTU offices during a countrywide crackdown on the political opposition. The government has created a rival trade-union umbrella organization, the Zimbabwe Federation of Trade Unions, to try to undermine the ZCTU, sometimes using violent tactics.”  
[96d]

- 32.02 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, noted that:

“There is no national minimum wage except for agricultural and domestic workers. Government regulations for each of the 22 industrial sectors continued to specify minimum wages, hours, holidays, and required safety measures. The minimum wage did not provide a decent standard of living for a worker and family, and more than 85 percent of the population continued to live below the government's poverty line. The Ministry of Public Service, Labor, and Social Welfare is responsible for enforcing the minimum wage; however, monitoring systems were ineffective, and many agricultural and domestic workers were remunerated below the minimum wage. Minimum wages in the formal sector changed continuously as a result of the high inflation rate. During the year, the ILO reported that four of five jobs in the country were in the informal sector, 78 percent of which were in the agriculture. These jobs generally provided extremely low cash income and poor working conditions and did not offer adequate worker protections.

“The maximum legal workweek is 54 hours, and the law prescribes a minimum of one 24-hour rest period per week. No worker is allowed to work more than 12 continuous hours; however, there was little or no enforcement, particularly in the agricultural and domestic worker sectors. The law prescribes that workers receive not less than twice their standard remuneration for working on a public holiday. However, workers were unlikely to complain to authorities about violations due to fear of losing their jobs.

“The public service commission sets conditions of employment in the public sector. Health and safety standards were determined on an industry-specific basis. The government designated the Zimbabwe Occupational Safety Council, a quasi-governmental advisory body made up of six representatives each from the government, employers, and trade unions, to regulate safe work conditions; however, budgetary constraints and staffing shortages, as well as its status as an advisory council, made the council ineffective. The National Social Security Authority (NSSA) continued to experience difficulty monitoring the thousands of work sites across the country; however, it continued to close shops and factories not in compliance. The NSSA reported in 2007 that a high turnover in staff meant that only 20 of 31 safety and health inspector positions were filled to monitor an estimated 14,000 registered factories. In 2007 government media reported 64 workplace fatalities and 5,568 injuries through November. By year's end the government had not taken action to address health risks in the workplace. Workers have a legal right to remove themselves from dangerous work situations without jeopardy to continued employment but in practice risked the loss of their livelihood if they did so.” [2b] (Section 6e)

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## Annex A: Chronology of major events

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- 1889** Rhodes' British South Africa Company (BSA) gains a British mandate to colonise what becomes Southern Rhodesia. [3ag]
- 1953** Britain creates the Central African Federation, made up of Southern Rhodesia (Zimbabwe), Northern Rhodesia (Zambia) and Nyasaland (Malawi). [3ag]
- 1963** The UK dissolves CAF; Northern Rhodesia and Nyasaland granted independence by the UK under majority rule administrations, as Zambia and Malawi respectively. [3ag]
- 1965** Rhodesia Front Prime Minister, Ian Smith, makes illegal unilateral declaration of independence (UDI) for Southern Rhodesia from the UK, renaming the territory Rhodesia. [3ag]
- 1972** Guerrilla war against white rule intensifies, with rivals Zanu and Zapu operating out of Zambia and Mozambique. [3ag]
- 1976** ZAPU and ZANU combine their military efforts in the Patriotic Front (PF) alliance. [90i]
- 1978** Smith yields to pressure for negotiated settlement. Elections for transitional legislature boycotted by Patriotic Front made up of Zanu and Zapu. New government of Zimbabwe Rhodesia, led by Bishop Abel Muzorewa, fails to gain international recognition. Civil war continues. [3ag]
- 1979** Ian Smith's administration concludes an 'internal settlement' with some Black nationalists; Bishop Abel Muzorewa becomes first Black Prime Minister of 'Zimbabwe-Rhodesia'. [90i]  
**December:** Lancaster House constitutional conference in London, attended by all parties including the PF produces independence settlement for Rhodesia; Whites to be guaranteed 20 seats in new 100-seat parliament. [90i]
- 1980** **February:** Robert Mugabe's ZANU-PF party wins 57 out of 80 'common roll' seats and Nkomo's PF (ZAPU) wins 20 seats; Bishop Muzorewa's UANC party wins only three seats and Rhodesia Front wins all 20 seats reserved for Whites. [1d]  
**April:** Independence of Zimbabwe – Robert Mugabe of ZANU-PF becomes Prime Minister and Reverend Canaan Banana becomes President, with ceremonial duties only. [1d]
- 1982-87** Matabeleland Massacres; Government sends mainly Shona Fifth Brigade to quell dissent – thousands killed during *Gukurahundi* pacification campaign, causing resentment of Government by the Ndebele. [1d]
- 1987** Reconciliation between ZANU-PF and ZAPU ends Matabeleland conflict; ZANU-PF and ZAPU merge, keeping ZANU-PF name; reserved seats for Whites abolished; Prime Minister Mugabe becomes executive President. [1d]
- 1988** Amnesty proclaimed in Matabeleland, leading to rapid improvement in security; Edgar Tekere expelled from ZANU-PF for persistent denunciation of party leadership and policies. [1d]

- 1990**    **March:** Mugabe wins Presidential election, polling 2.03 million votes against ZUM's Edgar Tekere's 413,840; ZANU-PF wins 117 of the 120 contested seats in parliamentary elections, with ZUM taking 20% of the vote and two seats. [90I]
- 1990**    **August:** Joshua Nkomo becomes Vice-President, in addition to existing Vice-President Simon Muzenda. [90I]
- 1995**    **April:** ZANU-PF wins decisive victory in general elections, although eight opposition parties boycott polls – ZANU-PF takes 118 seats and Sithole's ZANU-Ndonga two.  
**October:** Sithole charged with conspiracy to assassinate Mugabe. [90I]
- 1996**    **March:** Mugabe wins Presidential elections with nearly 93 per cent of the vote, but turnout less than 32 per cent. [1d]
- 1997**    **July:** Criminal charges brought against former President Canaan Banana for alleged sexual assault against a former male employee. [1d]  
**December:** Sithole found guilty of plotting to kill Mugabe and sentenced to two years' imprisonment, but released on bail pending appeal. [1d]
- 1999**    **July:** Vice-President Joshua Nkomo dies. [90I]  
**September:** Movement for Democratic Change formed. [90I]
- 2000**    **February:** President Mugabe suffers defeat in referendum on draft constitution. [3ag]  
Squatters seize hundreds of white-owned farms in an ongoing and violent campaign to reclaim what they say was stolen by settlers.  
**June:** Parliamentary elections: Zanu-PF narrowly fights off a challenge from the opposition Movement for Democratic Change (MDC) led by Morgan Tsvangirai, but loses its power to change the constitution. [3ag]
- 2001**    **May:** Defence Minister Moven Mahachi killed in a car crash - the second minister to die in that way in a month. [3ag]  
**July:** Finance Minister Simba Makoni publicly acknowledges economic crisis, saying foreign reserves have run out and warning of serious food shortages. Most western donors, including the World Bank and the IMF, have cut aid because of President Mugabe's land seizure programme. [3ag]
- 2002**    **February:** Parliament passes a law limiting media freedom. The European Union imposes sanctions on Zimbabwe and pulls out its election observers after the EU team leader is expelled. [3ag]  
**March:** Mugabe re-elected in presidential elections condemned as seriously flawed by the opposition and foreign observers. Commonwealth suspends Zimbabwe from its councils for a year after concluding that elections were marred by high levels of violence. [3ag]  
**April:** State of disaster declared as worsening food shortages threaten famine.  
**June:** 45-day countdown for some 2,900 white farmers to leave their land begins, under terms of a land-acquisition law passed in May. [3ag]
- 2003**    **March:** Widely-observed general strike is followed by arrests and beatings. [3ag]

- June:** Opposition Movement for Democratic Change (MDC) leader Morgan Tsvangirai is arrested twice during a week of opposition protests. He is charged with treason, adding to an existing treason charge from 2002 over an alleged plot to kill President Mugabe. [3ag]
- 2003** **November:** Canaan Banana, Zimbabwe's first black president, dies aged 67.  
**December:** Zimbabwe pulls out of Commonwealth after organisation decides to extend suspension of country indefinitely. [3ag]
- 2004** **March:** A group of mercenaries allegedly on the way to Equatorial Guinea to stage a coup is intercepted after landing at Harare airport. Their leader, British national Simon Mann, is sentenced to seven years in prison for attempting to buy guns. [3ag]  
**October:** Opposition leader Morgan Tsvangirai is acquitted of treason charges relating to an alleged plot to kill President Mugabe. However he continues to face a further separate treason charge. [3ag]
- 2005** **January:** The US labels Zimbabwe as one of the world's six "outposts of tyranny". Zimbabwe rejects the statement. [3ag]  
**March:** Ruling Zanu-PF party wins two-thirds of the votes in parliamentary polls. Main opposition party says election was rigged against it. [3ag]  
**May-July:** Tens of thousands of shanty dwellings and illegal street stalls are destroyed as part of a "clean-up" programme. The UN estimates that the drive has left about 700,000 people homeless. [3ag]
- 2005** **August:** Prosecutors drop remaining treason charges against opposition leader Morgan Tsvangirai. [3ag]  
**November:** Ruling Zanu-PF party wins an overwhelming majority of seats in a newly-created upper house of parliament, the Senate. [3ag]  
The opposition MDC splits over its leader's decision to boycott the poll.  
**December:** UN humanitarian chief Jan Egeland says Zimbabwe is in "meltdown". [3ag]
- 2006** **May:** Year-on-year inflation exceeds 1,000%. New banknotes, with three noughts deleted from their values, are introduced in August. [3ag]  
**September:** Riot police disrupt a planned demonstration against the government's handling of the economic crisis. Union leaders are taken into custody and later hospitalised, allegedly after being tortured. [3ag]  
**December:** Ruling ZANU-PF party approves a plan to move presidential polls from 2008 to 2010, effectively extending Mr Mugabe's rule by two years. [3ag]
- 2007** **February:** Rallies, demonstrations banned for three months. The ban is extended in May. [3ag]  
**March:** Opposition leader Morgan Tsvangirai is hospitalised after his arrest at a rally. One man is shot dead as riot police move to disperse the gathering. [3ag]  
**June:** Ruling ZANU-PF and opposition MDC hold preliminary talks in South Africa. [3ag]
- 2008** **March:** Opposition MDC claims victory in presidential and parliamentary elections. [3ag]  
**May:** Electoral body says Tsvangirai won most votes in presidential poll, but not enough to avoid a run-off against Mugabe. [3ag]

**June:** Run-off goes ahead despite calls from around the world. Mugabe declared winner. Tsvangirai pulled out days before poll, complaining of intimidation. Russia, China veto a Western-backed UN Security Council resolution to impose sanctions. [3ag]

**July:** EU, and US widen sanctions against Zimbabwe's leaders. [3ag]

**Sept:** Mugabe and Tsvangirai sign power-sharing agreement. Implementation stalls over who gets top ministerial jobs. [3ag]

**December:** Zimbabwe declares national emergency over a cholera epidemic and the collapse of its health care system. [3ag]

**2009 January:** Government allows use of foreign currencies to try stem hyperinflation. [3ag]

**February:** Tsvangirai is sworn in as prime minister, after protracted talks over formation of government. [3ag]

**March:** Susan Tsvangirai, wife of Prime Minister Morgan Tsvangirai, was killed following a car crash on 6<sup>th</sup> March that also injured Mr Tsvangirai. Officially, Mr Tsvangirai claimed that the crash was an accident [53a], although senior members of the MDC expressed doubts, with many other MDC activists believing that the crash was planned by a clique within Zimbabwe's security forces. [5a]

**May:** The Zimbabwean African People's Union (ZAPU), a wing of ZANU-PF, announced that it had formally split from the ruling party. [67a]

**June:** Morgan Tsvangirai announces that the 'acrimony is over' between him and President Robert Mugabe and urges Zimbabweans to put their differences behind them to rebuild the country. [3v]

Constitutional review begins. Tsvangirai tours Europe and US to drum up donor support. [3ag]

**September:** One year after power-sharing deal, MDC remains frustrated and alleges persecution and violence against members.

Arrival of EU and US delegations seen as signs of thaw in foreign relations.

Both maintain stance on targeted sanctions.

IMF provides \$400 million support as part of G20 agreement to help member states. [3ag]

**October:** Mugabe calls for new start to relations with West. [3ag]

Prime Minister Tsvangirai announced that the MDC was withdrawing co-operation with the government in the Cabinet and Council of Ministers. Mr Tsvangirai points to continuing abuses and a lack of co-operation from ZANU-PF. [103a]

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## **Annex B: Political organisations**

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### **ZANU-PF**

The Economist Intelligence Unit's Zimbabwe Country Profile, 2008, noted that since independence from the United Kingdom in 1980 the country has been ruled by Robert Mugabe and ZANU-PF. The report stated that:

"At independence ZANU-PF's ideology was initially Marxist-Leninist, but from the late 1980s in line with the fall of communism the president did reluctantly allow a move towards market-oriented economic policies. As the political crisis in Zimbabwe has intensified in recent years, Mr Mugabe has reverted to more revolutionary language, notably the need to complete the chimurenga (the revolution by which he came to power) through the redistribution of land. He has also at various times called for the nationalisation of mines and industries." [24n]

Jane's Sentinel Country Risk Assessment: Zimbabwe, dated 13 March 2009, noted that:

"ZANU-PF holds five-yearly congresses as its primary decision-making mechanism. Its congress in early December 2004 led to the appointment of a new ZANU vice-president, Joyce Mujuru. The event was closely managed by Mugabe and left open the question of his succession. This question continues to dominate the party's internal politics, but for now remains open. The party again endorsed Mugabe as its presidential candidate for the 2008 elections and appears to have been wholly unprepared for its defeat in the first round in March in the National Assembly and presidential polls." [90e] (Internal Affairs)

*The Zimbabwe Independent* reported on 29 October 2009 that ZANU-PF is due to hold its next party Congress in December. One of the main issues for discussion and for the party to vote on is a replacement for the late Vice-President Msika. The report noted that ongoing power struggle within the party will have an influence over who obtains the post. "So far four senior members, Naison Ndlovu, Cain Mathema, Ambrose Mutinhiri and Obert Mpofu have openly declared their interest in the post. [11a] The States in Transition Observatory, noted in the report, Zimbabwe Government of National Unity Watch – October 2009 (dated 10 November 2009), that ZANU-PF chairman John Nkomo had been nominated to take the post of vice president, but dissent within the party became apparent after 'War Veterans' in Bulawayo rejected his nomination and Commissar Richard Ndlovu stated that the process was null and void because the correct nomination procedures had not been followed. [9f] (p4)

### **Movement for Democratic Change (MDC-T and MDC-M)**

"Founded in September 1999, the Movement for Democratic Change (MDC) emerged from ... a coalition of civil society groups, the National Constitutional Assembly (NCA)" and the Zimbabwe Congress of Trade Unions (ZCTU) to fight a constitutional referendum in February 2000. "The MDC, led by former ZCTU leaders Morgan Tsvangirai and Gibson Sibanda, campaigned for a 'No' vote that carried the day."

The MDC went on to contest the June 2000 parliamentary elections and only narrowly missed out on gaining a majority. "By then the government had unleashed a campaign of intimidation against the MDC, including manipulation of the electoral rules." Morgan Tsvangirai contested the 2002 presidential election, and lost to Robert Mugabe. Shortly

afterwards, Tsvangirai and other prominent members of the party were charged with treason - charges that were later dropped.

In 2005, "Mugabe's decision to introduce a Senate ... plunged [the party] into crisis when Tsvangirai opposed the MDC's participation in the senate polls." The MDC formally split in two, with the smaller faction fielding candidates in the Senate elections. The bulk of the party remained loyal to Morgan Tsvangirai.

The smaller faction of the party elected its own leader in Arthur Mutambara, becoming known as the MDC-M. The main faction is known as MDC-T (Tsvangirai). "The MDC-T - as the original MDC faction - also continued to enjoy the support of the National Constitutional Alliance, the Zimbabwe Congress of Trade Unions and the Zimbabwe Students Organisation." [90]

### **MDC party symbols and slogans**

The MDC's symbol is an open hand, palm outstretched. The party's slogan during the June 2000 parliamentary election campaign was 'Chinja Maitiro, Maitiro Chinja' in Shona and 'Guqula Izenzo, Izenzo Guqula' in Ndebele. The closest English translation is 'Now is the time, fight for change, support the Movement'. [12b]

See sections [4 – Elections and Power-Sharing Talks 2008](#) and [5 – Recent Developments](#) for recent information on both formations of the MDC.

### **Mavambo/Kusile/Dawn (MKD)**

Simba Makoni, a former finance minister within ZANU-PF [BBC News, 9 April 2009] [3ag], who ran against President Mugabe in the 2008 presidential election, announced that he was formally launching "... a new opposition political party, vowing to 'clean up the politics of Zimbabwe' and to uphold human rights and democracy if elected to power." The Africa Research Bulletin, covering events between 1-31<sup>st</sup> July 2009, noted that Mr Makoni announced that the new party would be called Mavambo/Kusile/Dawn (MKD) "... meaning 'The beginning of a new dawn' in Shona, Makoni said, 'Our vision is a stable, united and responsive governance system that will provide genuine empowerment, not a government that accumulates wealth among the few at the expense of others.' ... Makoni is interim president of the MKD while former spokesman Godfrey Chanesta is interim chairman." [76a] (18035)

### **ZANU-Ndonga**

The late Reverend Ndabaningi Sithole, who led ZANU before Robert Mugabe, set up ZANU-Ndonga. The party held two seats in Parliament prior to the elections in June 2000. (The Telegraph, 14 December 2000) [5a]

### **ZAPU (Zimbabwe African People's Union) [ZAPU 2000]**

ZAPU, or ZAPU 2000, was formed as a resurgent group of the former ZAPU party of the late Joshua Nkomo in 1999. The party advocates a federal system for Zimbabwe, with considerable powers devolved to Matabeleland. The party was unable to agree an electoral alliance for the June 2000 elections with the MDC, as the latter does not support a federal structure. ZAPU candidates stood in most constituencies in Matabeleland and Bulawayo in June 2000 but failed to win any seats.

In early January 2002, ZAPU leader Agrippa Madlela announced that he would not contest the March 2002 presidential election. His decision split ZAPU into two factions.

Paul Siwela, leader of a splinter group, announced his candidature for the presidency, standing for ZAPU.

On 17 May 2009 ZWNews reported that the Zimbabwean African People's Union (ZAPU), a wing of ZANU-PF, had announced that it had formally split from the ruling party. [67a] ZAPU, which was effectively forced to merge with ZANU following the Matabeleland Insurgency (See 3.04 for further details of the Matabeleland Insurgency) [28] (Chapter 7) voted in favour of the de-coupling of the two parties at a special party congress, attended by around 1,000 delegates at McDonald Hall in Mzilikazi. Dumiso Dabengwa was appointed the interim chairman of the party. [67a]

The Solidarity Peace Trust report, *Walking a thin line*, published on 30 June 2009, noted that: "... the revived Zimbabwe African People's Union (ZAPU), decisively marginalised by the MDC as a political opposition since 2000, and effectively emasculated in the terms of the GPA, formerly withdrew from the Unity Accord signed with Zanu PF in 1987, on the 16th May 2009." [65b] (p13)

### **United Parties [UP]**

The United Parties (UP) grouping was established by Bishop Muzorewa, leader of the UANC, in 1994 after UANC's merger with the Zimbabwe Unity Movement (ZUM). UP boycotted the 1995 general elections. In the presidential elections in 1996, Bishop Muzorewa was denied permission to withdraw his candidacy prior to the ballot and received 4.7 per cent of the vote. UP has failed to win any seats in subsequent elections.

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## **Annex C: Prominent people: past and present**

### **Robert Gabriel Mugabe**

Shona, first Prime Minister of independent Zimbabwe 1980–87, first executive President 1987 to present, leader of governing ZANU-PF party.

### **Morgan Tsvangirai**

Shona, President of opposition MDC, previously Secretary-General of Zimbabwe Conference of Trade Unions (ZCTU) and one-time ZANU-PF party official.

### **Gibson Sibanda MP**

Vice-President of MDC and leader of MDC MPs in Parliament.

### **Simon Vengayi Muzenda**

ZANU-PF, former Vice-President of Zimbabwe. Died September 2003.

### **Joseph Msika**

ZANU-PF, one of two Vice-Presidents of Zimbabwe, replaced Joshua Nkomo after his death in 1999.

### **Joyce Mujuru MP**

ZANU-PF, one of two Vice-Presidents of Zimbabwe, replaced Simon Vengayi Muzenda in December 2004. In recent years she has positioned herself as the front runner in any possible take over.

### **Solomon Mujuru**

Husband of Vice-President Joyce Mujuru, Solomon Mujuru was the military commander of the ZANLA forces prior to independence. In spite of his retirement from the army in 1992 and from parliament in 2000 he remains an influential figure within the country; he remains a member of ZANU-PF's Politburo and Central Committee.

### **Professor Jonathan Moyo MP**

Ndebele, Former ZANU-PF Minister of State for Information and Publicity. The only non-party affiliated member of parliament.

### **Professor Welshman Ncube MP**

Ndebele, Secretary-General of the pro-senate MDC, MP for Bulawayo North. He is the main driving force of the Mutambara faction.

### **David Coltart MP**

White Zimbabwean, prominent human rights lawyer, MDC MP for Bulawayo South and Shadow Justice Minister.

### **Chenjerai 'Hitler' Hunzvi MP**

Leader of war veterans in farm occupations, elected as ZANU-PF MP for Chikomba in June 2000; died in June 2001.

### **Ian Douglas Smith**

Prime Minister of colonial Southern Rhodesia in 1960s, illegally declared independence (UDI) of Rhodesia from UK in 1965, PM until 1979, he died on 20 November 2007.

**Joshua Nkomo**

Ndebele, leader of ZAPU until party's merger with ZANU-PF in 1987, Vice-President of Zimbabwe from 1990 until his death in 1999.

**John Nkomo**

John Nkomo is seen as a possible successor to Mr Mugabe. He is currently the national chairman of ZANU-PF and commands considerable respect within the party. He could well become the second vice-president if the current incumbent, Joseph Msika, is forced to retire because of ill health.

**Reverend Canaan Banana**

First, non-executive, President of Zimbabwe 1980–1987; sentenced to a year in prison in 2000 for sexually assaulting a male employee, Released from prison January 2001.

**Bishop Abel Muzorewa**

Prime Minister of 'Zimbabwe-Rhodesia' under power-sharing 'internal settlement' in 1979, former leader of UANC, leader of United Parties since 1994, United Methodist Church's Bishop of Zimbabwe.

**Reverend Ndabaningi Sithole**

Former leader of ZANU, latterly leader of small ZANU-Ndonga party, died 2000.

**Margaret Dongo**

Leader of Zimbabwe Union of Democrats (ZUD), MP for Harare South until lost seat in June 2000 elections.

**Edgar Tekere**

Former ZANU-PF Secretary-General, expelled from party 1988 for denouncing plans for one-party state, founded opposition Zimbabwe Unity Movement 1989 and unsuccessfully challenged Mugabe for Presidency in 1990.

**Tarugarira Wilson Khumbula MP**

ZANU-Ndonga MP for Chipinge South, the only MP not from ZANU-PF or MDC elected in June 2000

**Border Gezi**

Former ZANU-PF Minister for Youth, Gender and Employment Creation. Initiated the National Youth Service programme, the members/graduates of which are sometimes called Border Gezi's, or Green Bombers or Taliban.

**Constantine Guveya Chiwenga (General)**

Commander of Zimbabwe Defence Forces (since 1 January 2004).

**Vitalis Zvinavashe (General)**

Commander of Zimbabwe Defence Forces, 1994–2003.

**Pius Ncube**

Roman Catholic Archbishop of Bulawayo, Zimbabwe, widely known as a human rights advocate and an outspoken critic of President Robert Mugabe. Heads a multi-denominational church coalition that seeks to improve the conditions of Zimbabweans. He received a Human Rights Award from Human Rights First on 23 October 2003, for speaking out against torture and confronting the Mugabe government. In September 2007 Pius Ncube was implicated in an adultery scandal, thought by many to have been inspired by the CIO, and subsequently resigned as Archbishop of Bulawayo.

**Arthur Mutambara**

President (leader) of the pro-Senate faction of the Movement for Democratic Change (MDC). Mutambara holds a PhD from Oxford University in Robotics and Mechatronics, and held professorships in that field in several US institutions. In the late 1980s, he rose to prominence at the University of Zimbabwe, leading the first anti-government student protests since independence.

**Wellington Chibebe**

Mr Chibebe has been leader of the Zimbabwe Congress of Trades Unions (ZCTU) since 2001.

**Gideon Gono**

As head of the Reserve Bank of Zimbabwe, he is the main driver of economic policy. He appears to have the ear of the president, and has retained his position in spite of mild criticism of government economic policy and the ongoing decline in the economy. Some commentators suggest that he is a contender for the presidency when Mugabe steps down.

**Emmerson Mnangagwa**

Former head of the CIO, Emmerson Mnangagwa was until 2005 the prime contender to succeed Mr Mugabe. He was sidelined after too closely contesting the power of Mr Mugabe in the battle to appoint a new vice-president in 2005. However, Mugabe has kept Mnangagwa in the party and recently was said to favour Mnangagwa over Joyce Mujuru in an eventual take over.

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## Annex D: Government of National Unity

Under the terms of the power sharing agreement Robert Mugabe remains head of state as President. Morgan Tsvangirai (leader of the larger opposition group MDC-M) was sworn in as prime minister on February 11<sup>th</sup> with Arthur Mutambara (leader of the splinter opposition group MDC-M) being sworn in as deputy prime minister on the same day. Zimbabwe's new cabinet was sworn in on February 13<sup>th</sup>. (Economist Intelligence Unit, 13 February 2009) [24f] The rest of the information is provided by the following sources: (BBC News, 12 February 2009) [3ae], (CIA, 27 May 2009) [56b] and (Reuters, 9 February 2009) [75d].

### HEAD OF STATE & PRIME MINISTER

President	Robert Mugabe (ZANU-PF) [56b]
Vice President	Vacant
Vice President	Joyce Mujuru (ZANU-PF) [56b]
Prime Minister	Morgan Tsvangirai (MDC-T) [56b]
Deputy Prime Minister	Arthur Mutambara (MDC-M) [24f]
Deputy Prime Minister	Thokozani Khupe (MDC-T) [75d]

### MINISTERS AND MINISTERS OF STATE

Mugabe and Tsvangirai agreed the following list of new ministries on 13 September 2008 (see below). [75b] On 13 February 2009, *The Herald*, published a full list of names of appointees to the Cabinet and junior ministries. However, the source did not state which portfolios had been allocated to whom. [23] A copy of the list can be found at the following link: <http://allafrica.com/stories/printable/200902130014.html>  
<https://www.cia.gov/library/publications/world-leaders-1/world-leaders-z/zimbabwe.html>

Finance	Tendai Biti (MDC-T) [3ae]
Home Affairs (Shared)	Kembo Mohadi (ZANU-PF) [3ae]
Home Affairs (Shared)	Giles Mutsekwa (MDC-T) [3ae]
Foreign Affairs	Simbarashe Mumbengegwi (ZANU-PF) [56b]
Defence	Emmerson Mnangagwa (ZANU-PF) [3ae]
Justice and legal Affairs	Patrick Chinamasa (ZANU-PF) [3ae]
Constitutional and Parliamentary Affairs	Eric Matinenga (MDC-T) [3ae]
Lands, Agriculture and Resettlement	Joseph Made (ZANU-PF) [3ae]
Deputy Minister	Roy Bennet (MDC-M) [3ae]
Environment, Natural Resources and Tourism	Francis Nhema (ZANU-PF) [56b]
Economic Planning and Development	Elton Mangoma (MDC) [56b]
Transport	Nicholas Goche (ZANU-PF) [56b]
Local Government, Urban/Rural Development	Ignatius Chombo (ZANU-PF) [56b]
National Health and Social Amenities	Henry Madzorera (MDC-T) [3ae]
Public Service	Elphas Mukonoweshuro (ZANU-PF) [56b]
Higher and Tertiary Education	Stanislaus Mudenge (ZANU-PF) [56b]
Education, Sports and Culture	David Coltart (MDC-M) [56b]
Energy and Power Development	Elias Mudzuri (MDC) [56b]
Mines and Mine Development	Obert Mpofu (ZANU-PF) [56b]
Water Resources and Management	Samuel Nkomo (MDC) [56b]
Public Works	Theresa Makone (MDC) [56b]
Public Service	Elphas Mukonoweshuro (MDC-T) [56b]
Youth Development, Indigenisation ...	Savior Kasukuwere (ZANU-PF) [56b]
Industry and Commerce	Welshman Ncube (MDC-M) [56b]

Information Communication Technology	Nelson Chamisa (MDC-T) [56b]
Enterprises and Parastatals	Joel Gabbuza (MDC) [56b]
Science and Technology	Henri Dzinotyiwei (MDC-T) [56b]
Media, Information and Publicity	Webster Shamu (ZANU-PF) [56b]
Women's Affairs	Olivia Muchena (ZANU-PF) [56b]
Regional Integration and International Trade	Priscila Misihairabwi-Mushonga (MDC-M) [56b]
Labour and Social Services	Paurina Gwanyanya-Mpariwa (MDC) [56b]
Tourism	Walter Mzembi (ZANU-PF) [56b]
Min. of State President's Office	Didymus Mutasa (ZANU-PF) [56b]
Min. of State Prime Minister's Office	Gordon Moyo (MDC-T) [56b]
Governor, Reserve Bank of Zimbabwe	Gideon Gono (ZANU-PF) [56b]

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## Annex E: List of abbreviations

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<b>AI</b>	Amnesty International
<b>CEDAW</b>	Committee on the Elimination of All Forms of Discrimination Against Women
<b>CPJ</b>	Committee to Protect Journalists
<b>EU</b>	European Union
<b>FCO</b>	Foreign and Commonwealth Office (UK)
<b>FGM</b>	Female Genital Mutilation
<b>FH</b>	Freedom House
<b>GDP</b>	Gross Domestic Product
<b>HIV/AIDS</b>	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
<b>HRW</b>	Human Rights Watch
<b>ICG</b>	International Crisis Group
<b>ICRC</b>	International Committee for Red Cross
<b>IDP</b>	Internally Displaced Person
<b>IFRC</b>	International Federation of Red Cross and Red Crescent Societies
<b>IMF</b>	International Monetary Fund
<b>IOM</b>	International Organisation for Migration
<b>MSF</b>	Médecins sans Frontières
<b>NGO</b>	Non-Governmental Organisation
<b>OCHA</b>	Office for the Coordination of Humanitarian Affairs
<b>ODIHR</b>	Office for Democratic Institutions and Human Rights
<b>ODPR</b>	Office for Displaced Persons and Refugees
<b>OECD</b>	Organisation of Economic Cooperation and Development
<b>OHCHR</b>	Office of the High Commissioner for Human Rights
<b>OSCE</b>	Organisation for Security and Cooperation in Europe
<b>RSF</b>	Reporteurs sans Frontières
<b>STD</b>	Sexually Transmitted Disease
<b>STC</b>	Save The Children
<b>TB</b>	Tuberculosis
<b>TI</b>	Transparency International
<b>UN</b>	United Nations
<b>UNAIDS</b>	Joint United Nations Programme on HIV/AIDS
<b>UNESCO</b>	United Nations Educational, Scientific and Cultural Organization
<b>UNHCHR</b>	United Nations High Commissioner for Human Rights
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>UNICEF</b>	United Nations Children's Fund
<b>UNODC</b>	United Nations Office on Drugs and Crime
<b>USAID</b>	United States Agency for International Development
<b>USSD</b>	United States State Department
<b>WFP</b>	World Food Programme
<b>WHO</b>	World Health Organization

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*The Home Office is not responsible for the content of external websites.*

*Numbering of source documents is not always consecutive because some older sources have been removed in the course of updating this document. (If applicable)*

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